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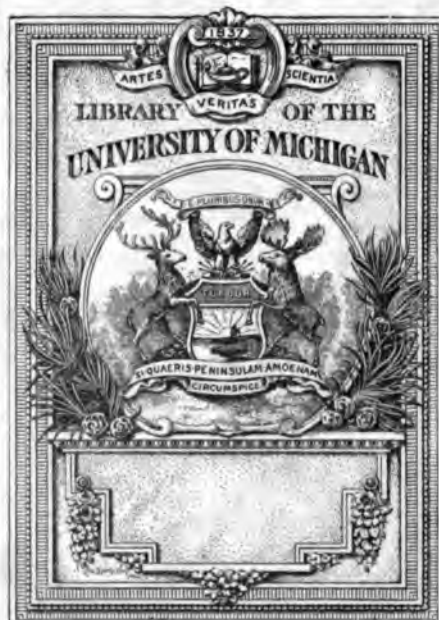
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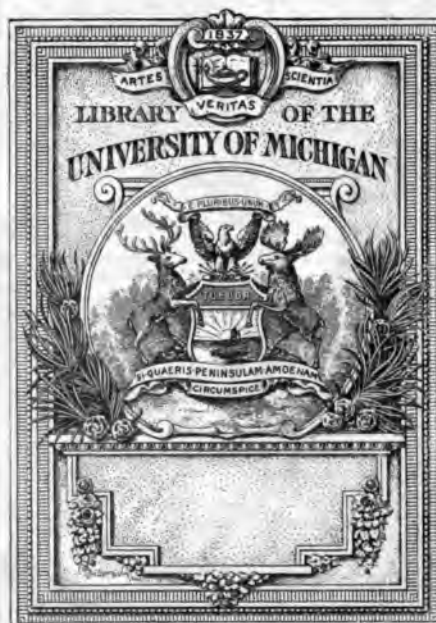
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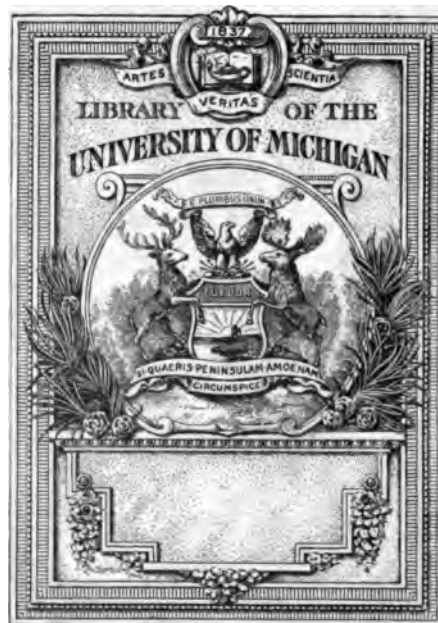
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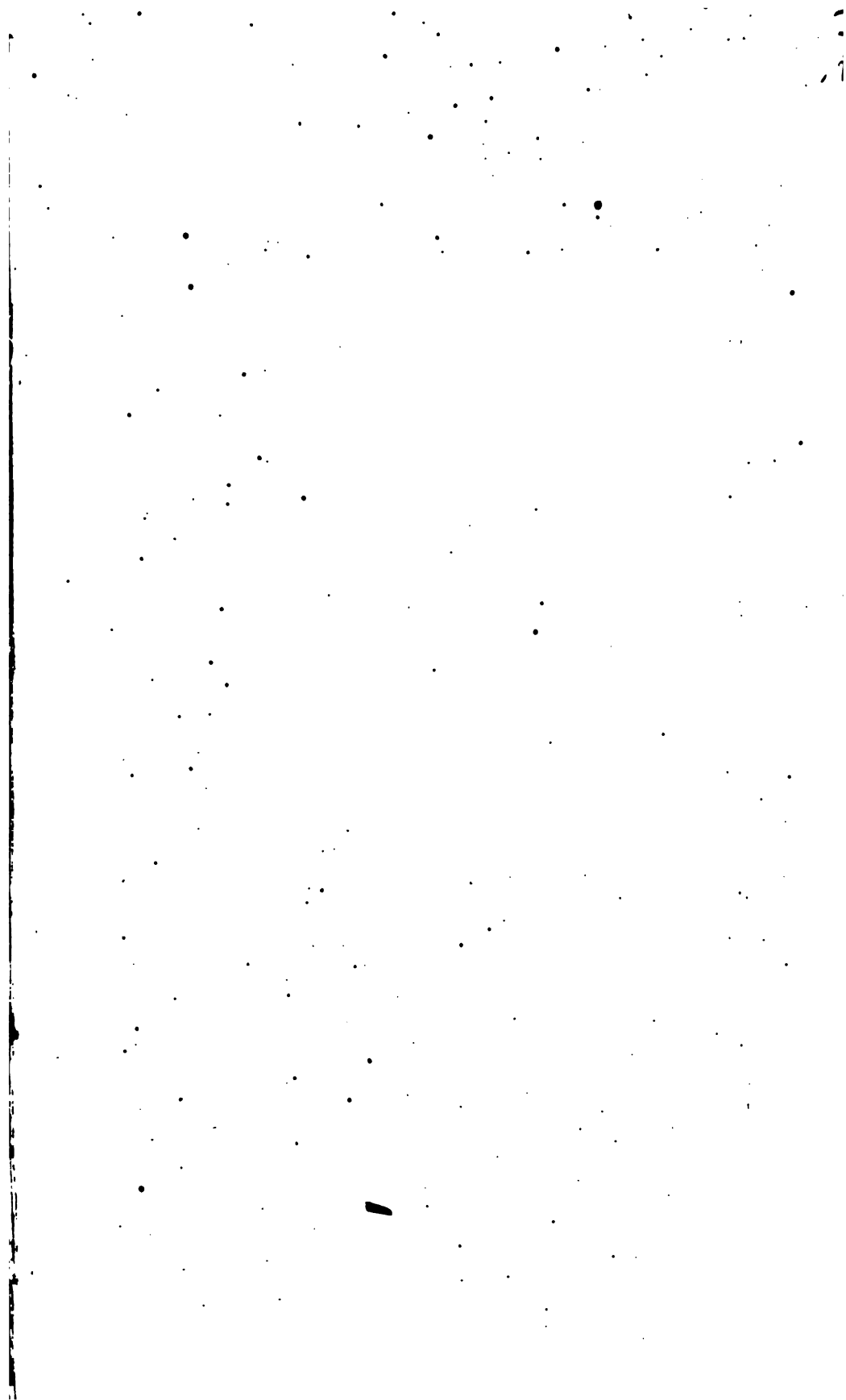
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HANSARD'S
PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV. 5-6991

52, & 53 VICTORIÆ, 1889.

VOL. CCCXXXVIII.

COMPRISING THE PERIOD FROM

THE TENTH DAY OF JULY, 1889,

TO

THE THIRTY-FIRST DAY OF JULY, 1889.

Sixth Volume of the Session.

THE HANSARD PUBLISHING UNION, LIMITED,

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“HANSARD'S PARLIAMENTARY DEBATES,”

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1889.

Chronology of Hansard's Debates.

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Government Board shakes his head, and I shall be glad to learn that that is not so. I believe, however, that in regard to these Bills in no one case has the Local Authority given consent, or, where consent has been refused, that the Board of Trade has assigned special reasons why the consent of the Local Authority should be dispensed with. For my own part, I cannot help thinking that the laying out of the Metropolis into districts is contrary to the spirit of the Act of 1888. I hope that in granting concessions the Board of Trade will take care that they are not granted unless there is good and sufficient security that the companies applying for them are in a position to carry out the work they undertake.

THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): I do not complain of the course taken by the hon. Member, who takes great interest in this question, in calling attention to the absence of any special Report from the Board of Trade as to the reasons which have induced the Board to dispense with the consent of the Local Authority. The Act of last Session is properly stringent upon the point which the hon. Member has raised, but the facts are these:—A special Report has been duly framed; but owing to that remarkable delay which constantly characterizes the work of the printers, it is not ready for presentation to the Members. There is no special provision requiring that the Report should be made to the House at any particular time, although I think it is only right and proper that it should be in the hands of Members before the Second Reading. I have had to deal with exceptional difficulties. The House is aware that last year a searching inquiry was held by Major Marindin into all the proposals for lighting the Metropolis, made by various companies for various districts overlapping one another, and sometimes made without the consent of the Local Authorities. It has only been with the greatest possible difficulty that I have been able to frame Provisional Orders as the result of that inquiry at such a time of the Session, when I hope it will not be too late to pass them into law. I think it is a great discredit to this country that the Metropolis of this great Empire should not before this time have

had the advantage of the electric light. I trust that while every proper interest will be safeguarded by the Committee to which these Bills will be referred, it will be found possible during this Session to deal with this matter, which might have been dealt with some time ago but for defects in the general law. We have, before granting the Provisional Orders, made a very careful inquiry into the financial capacity of the various companies to carry out the powers with which they ask to be intrusted; and we are satisfied that we are justified in granting the Provisional Orders, with the belief that the powers will be carried into effect. The hon. Member has referred to the objections of the Local Authorities, which we have felt it our duty to overrule, as if those objections had been general. That is not the case. It would appear from the special Report that in only two cases in the whole of the Metropolis were objections made on any important grounds. The other objections are practically settled, and in the two cases in question the objections are not based on matters of principle, but on matters of detail affecting clauses, which matters can be properly dealt with by the Committee. I trust that I may ask the House to forward this subject by giving a Second Reading to these Bills.

Question put, and agreed to.

Bill read the second time, and committed.

CRUELTY TO CHILDREN PREVENTION [EXPENSES].

Committee to consider of authorising the payment, out of the moneys to be provided by Parliament, of the expenses of the prosecution in Scotland or Ireland of a misdemeanour under any Act of the present Session for the better Prevention of Cruelty to Children (Queen's Recommendation signified), Tomorrow.

NOTICE.

THE OPERATIONS IN EGYPT.

SIR W. LAWSON (Cumberland, Cockermouth): I do not see the Secretary for War in his place; but if he is present at the close of the sitting I shall ask him to state to the House the nature of the operations that are contemplated

Sir G. Campbell

in Egypt, and whether it is true that a large number of British troops have been ordered up to Assouan.

ORDERS OF THE DAY.

CRUELTY TO CHILDREN PRE- VENTION BILL. (No. 308.)

Order read for consideration of Bill as amended.

New Clause (Provision as to bye-laws 38 and 39 Vic. c. 55.)—(*Mr. Attorney General*),—brought up, and read the first and second time, and added.

MR. J. KELLY (Camberwell, N.): I have to move in Clause 1, line 10, to omit the words "a manner likely," in order to insert "in such manner as." As the clause now stands the words are vague and of doubtful meaning, and may go a great deal further than I think the House intended.

Amendment proposed, in page 1, line 10, to leave out the words "a manner likely," and insert the words "in such manner as."—(*Mr. Kelly*.)

Question proposed, "That the words 'a manner likely' stand part of the Bill."

***THE ATTORNEY GENERAL** (Sir R. WEBSTER, Isle of Wight): Perhaps it is desirable that I should state exactly what I have done since the Bill left the Committee. The hon. Member for North Camberwell (*Mr. J. Kelly*) proposes to insert words which will make it necessary that the child should have been injured before any offence can be committed. I feel that it is impossible to go as far as that, but at the same time I admit that the wording of the clause is open to some question, and I think the third Amendment of the hon. Gentleman may be accepted, which substitutes the words "serious injury" for the words "to be injurious."

Amendment, by leave, withdrawn.

MR. J. KELLY moved, in page 1, line 10, to leave out the word "unnecessary."

Question proposed, "That the word 'unnecessary' stand part of the Bill."

***SIR R. WEBSTER**: This matter was discussed in Committee, and the view expressed was that it would be unwise

to make the clause one which could be made the means of groundless charges.

Amendment, by leave, withdrawn.

MR. J. KELLY moved, in line 11, to leave out "to be injurious," and insert "serious injury."

Question, "That 'to be injurious' stand part of the Bill," put, and negatived.

Question, "That the words 'serious injury' be inserted," put, and agreed to.

On the Motion of Sir R. WEBSTER, Sub-section 2, of Clause 1, was made a separate clause (Restrictions on Employment of Children), and various verbal Amendments were also made.

***MR. JENNINGS** (Stockport): I beg now to move in Clause 1, page 2, Sub-section (c), line 22, to leave out "or in premises licensed according to law for public entertainments," and insert—

"Other than premises licensed according to law for public entertainments, acrobatic and gymnastic performances excepted."

The object of this Amendment is to remove the prohibition contained in the clause against the employment of children under 10 years of age in theatres. The clause as it stands was adopted somewhat suddenly by the Committee. [*Cries of "No."*] At any rate, there was no notice of the particular Amendment which was proposed for the prohibition of the employment of children, and the Amendment itself was adopted under a misconception of the facts. The Bill is a Bill for the prevention of cruelty to children; but it has never been alleged, either out of doors or in this House, that any cruelty to children has been practised in theatres. No well-attested case of cruelty to children has ever been brought before the public in connection with theatres; and the Director of the Society for the Prevention of Cruelty to Children, the Rev. B. Waugh, authorizes me to state that the Society has taken the greatest trouble to ascertain whether there has been any case, and has failed to find a single one. It is quite possible that the severe training which is necessary for acrobatic and gymnastic performances may occasionally involve cruelty; but the words which I propose to introduce will keep those entertainments under the prohibition. In the ordinary work of a theatre

there is no motive for cruelty. The children take the greatest interest and pleasure in the performances, and there is no analogy to be drawn between that class of work and the work which brought the Factory Acts into existence. The history of those Acts show that the children were employed for long hours, that they endured great sufferings, and that excessive mortality prevailed among them. In the case of the employment of children in theatres, in most instances there cannot be a doubt that the children are actually benefited by their occupation, and upon that point there is much evidence of a substantial character to be adduced. Let me take the evidence of Dr. Priestly and Mrs. Priestly. Mrs. Priestly, in a letter to Mr. Irving in May last, wrote—

"Perhaps you will allow me to say that we have always considered that the poor children employed in theatres are in a more enviable position than their neighbours."

The fact is that they are enviable, because they are well-fed, well clothed, and well-trained—advantages which it is impossible for them to get in their own homes. Mrs. Priestly goes on to say, with regard to the ward which she and Dr. Priestly had set up for sick children, that they

"always considered the little fairies and goblins in pantomimes had a better chance of recovering from dangerous illness than their less cared-for neighbours,"

and she denounces the agitation against the employment of children in theatres as positively cruel. Dr. Priestly is far more qualified to give practical evidence upon this subject than any number of ladies and gentlemen who approach the subject with their minds filled with a bitter prejudice against the stage, and who have absolutely no practical experience of theatres and theatrical life. The prohibition contained in this clause would have the effect of throwing hundreds of children out of employment, and of putting an end to many performances and plays which have been popular with the English people for generations. Most of the little fairies would disappear under this new out-burst of Puritanical fervour. The *Midsummer Night's Dream* would have to be played without them; "Peascod," "Mustard Seed," and the rest will have to vanish. The "Duke of York" in *Richard III.* will have to go after them. [Cries of "No?"]

Mr. Jennings

I do not know whether the hon. Member who cries "No" has ever played in those parts. The part of "Arthur" in *King John* will probably have to be struck out of the play; at any rate, it is often given to young persons under 10 years of age. The children in the very interesting and harmless play of *Olivia*, the dramatization of the "Vicar of Wakefield," and in the charming play of *Masks and Faces*, will either go out or have to be represented by wax figures. We shall see "Norma," staggering across the stage under the burden of two overgrown tomboys instead of children. "Arlene" in the *Bohemian Girl* will have to wear a certificate suspended round her neck attesting that she is over 10 years of age, and there are numberless plays, well known to the public, in which some of the most delightful parts will have to be struck out. In the Drury Lane pantomime last year there was a very pretty scene in which a number of girls were dressed up to represent dolls. They took a great interest in the performance. I spoke to one of them, and she told me that she was seven years old, and was receiving 15s. a week. In *Faust*, which most people have been wicked enough to see at the Lyceum, many children were employed, and Mr. Irving has informed me that there are on his staff throughout the year a number of children, some of whom are the children of dressers, and of other persons employed at the theatre. These children assist in keeping up the home, and are trained in an agreeable occupation, which enables them to provide their own living in after years. What reasonable man can see any harm in that, and what reason is there for the Legislature to interfere, and prevent the children from assisting their parents in this way? It may be said that although Mr. Augustus Harris and Mr. Irving, who I hope are not quite beyond the pale of salvation, do not ill-treat children, yet they are ill-treated in provincial theatres. In these days provincial theatres are almost as good as theatres in London, and the managers are not brutes, either by nature or by training. Actors and actresses as a class are among the most kind-hearted people in the world. No doubt we may find a successor of Vincent Crummles

occasionally; but Crummles himself was not a bad-hearted man, and Charles Dickens, who drew him, knew a thousand times more about the theatre than any of those who have drawn up this clause. The hon. Member for Flintshire (Mr. S. Smith) stated that only a small proportion of the children employed early in theatres came to any good, and that to the great bulk of little girls it meant hopeless ruin. That seems to be a very ungenerous remark to come from a gentleman with such benevolent instincts as the hon. Member. It would be interesting to know on what statistics or information the hon. Gentleman bases his assertion, which is regarded by the dramatic profession as a gross and unmerited calumny. It certainly fixes a terrible stigma upon thousands of girls who have performed on the stage, and whose subsequent lives have been quite as reputable as the lives of most fashionable women of the day. There is no calling or profession which insures the constant practice of virtue. Even politicians sometimes make slips, but the stage is no worse than any other calling in this respect. If contamination of morals takes place in connection with theatrical life, I should imagine that it was after the age of 10 years, and the hon. Gentleman should have moved an Amendment prohibiting the employment of all persons in theatres above that age. It is clear the hon. Gentleman has made no inquiry on the subject. I have taken the trouble to do so, and I have in my hand a long list of names of girls who have been employed at various times at Drury Lane Theatre, and who, according to the hon. Member for Flintshire, have all gone into perdition. I will take two or three instances out of it almost at random. The House will not expect me to give the names of these girls, although I have reason to believe the girls would not object to my doing so. The list, however, is entirely at the disposal of any hon. Gentleman. The first case is that of a hardened offender, a girl only 10 years of age. She has been on the stage for several years, and last Christmas she performed in the pantomime at Newcastle. No unusual symptoms of depravity have yet broken out in her. Another case is that of a young lady who began her career at Drury Lane

Theatre, and who is now the principal dancer at the Crystal Palace. Let me remind the House that these girls are not lost sight of by their most admirable trainers. As they grow older, engagements are provided for them in provincial theatres, and while they do their duty they are never forgotten. There is another young lady of 18 who is now engaged in the Carl Rosa Company. Another is at the present time appearing in the Royal Italian Opera at Covent Garden. Another is second dancer at the Empire Theatre, earning £1 15s. a week. Another, who began at Drury Lane at seven years of age, is now one of the principal dancers in the Crystal Palace outdoor ballet. Another is engaged at Birmingham; another is in the Crystal Palace ballet, and receiving £2 a week; another is a principal dancer in the Carl Rosa Company, and has married a member of the company; another has passed into a West End milliner's establishment; another has left the stage and married a gentleman in America, and I hope the hon. Gentleman will not look upon her as having necessarily sunk into hopeless ruin. These are some cases, and there are many others in the list calculated to produce a very different impression on the mind from that which was suggested by the hon. Gentleman in his gloomy picture of a procession of children passing across the stage into eternal ruin. Let me mention other instances, the force of which I believe the whole civilized world will recognise. Edmund Kean, one of the greatest actors who ever lived, performed on the stage before he was nine years old; and the worthy successor of Edmund Kean, and the greatest actor of our time, Mr. Henry Irving, writes to say—

"The earliest years in a theatre are often of infinite value to members of our calling, and I do not hesitate to say that some of our most distinguished actresses owe their success very largely to the fact that they were brought up in the theatre, and that the stage was to them both a nursery and a schoolroom."

Miss Kate Terry performed in a theatre long before she was 10 years of age; she played the part of "Arthur" in *King John*, when she was eight. [Mr. MUNDALLA, "Oh! oh!"] Miss Ellen Terry played the part of the "Duke of York" in *Richard III.* when six years of age. That is her own belief, though, of course,

it may be the right hon. Gentleman knows better; and, if so, I am sure Miss Ellen Terry will be delighted to receive any information regarding her early life from one who knows so much more about it than she does herself.

MR. MUNDELLA (Sheffield, Brightside): I did not desire to contradict the hon. Gentleman when he spoke of Miss Kate Terry at eight years of age playing the part of "Arthur." I remembered that historically "Arthur" was 16 years old when he was killed.

*MR. JENNINGS: At any rate, the part was performed by Miss Kate Terry before she was 10 years of age. Mrs. Bancroft appeared on the stage before she was 10, and so did Mrs. Kendal and Miss Bateman. There are some persons in the world who look on a theatre as a haunt of vice, except on Sunday evenings, when they hire it for the purpose of preaching what they call a sermon. They are furious with the stage unless they are themselves playing on it the part of the amateur divine. They picture to themselves horrible scenes of the frightful orgies which go on behind the scenes of a theatre—when they are not there to look after morals. The fact is that behind the scenes of a theatre is a place of business which is most rigidly locked after; admission behind the scenes of our great theatres is almost as difficult to obtain as admission to Buckingham Palace. The behaviour there is, as a rule, far more decorous than that witnessed in many places of much greater pretensions. Cases of cruelty in theatres are most rare and exceptional; and it is to meet the very few cases that the words to which I object have been introduced into the Bill. The hon. Member for Evesham (Sir R. Temple) has very warmly supported the prohibition of the employment of children in theatres. He stated that the Amendment to strike out the prohibition was not only wrong, but diametrically the opposite of what is right. The hon. Member for Evesham apparently has not inquired personally into the subject, but two of his colleagues on the London School Board have done so; and after an inspection of the arrangements of the theatre for training and educating the children, they came to the conclusion that the employment of the children was not only good, but, as the hon. Member would put it, was diametrically

the opposite of bad. General Sims, one of these gentleman, is now an ardent advocate of the employment of children in theatres, whereas he was formerly most bitterly opposed to it. The hon. Member seems to think that every child who is not educated under the direction of the School Board is lost, and he comes forward with great severity, and pronounces a decree of excommunication against it. But if the hon. Member is going to excommunicate all children not brought up under a School Board, he has his work cut out for him; because there are many people in the constituencies who believe that children can be more cheaply and more efficiently educated without the intervention of the School Board than with it. In fact, they are almost as much afraid of the School Board as the hon. Member appears to be of the awful orgies that go on behind the scenes in the theatres. Again, it is said that if the children are not employed in the theatres at night they will be in bed; but that by no means follows. Some persons seem to think that at 7 or 8 in the evening these young children, if not engaged at the theatre, will be carried gently upstairs and put into a comfortable, curtained brass bedstead; but that is not the lot of the children of the poor. Let hon. Gentlemen visit the purlieus of Drury Lane late at night, or the ghastly slums within pistol shot of this House. They will see how little their dream corresponds with the reality. They will find hundreds of children between 11 and 12 o'clock, or even later, drifting about the doors of the gin shops, or grovelling in the gutters with oaths and curses ringing in their ears. Of these children it may indeed be said that they are "born to trouble as the sparks fly upwards"; and almost anything which takes them, even for a time, from their misery and degradation should be welcomed as an alleviation of the hardships of their lot. The theatre to some extent does this work. I admit that it does the work imperfectly; it does not carry it out on the scale we should all like to see; but it is better than nothing. It offers to hundreds of children remunerative employment, and it does this at that time of year when help is most needed—in the depth of winter, when their parents are out of work, and when the home is going to pieces. The theatre

Mr. Jennings

provides them with the means of carrying clothing and food to their parents, who are very often in a state of hunger and wretchedness. It was assumed to my great astonishment throughout the previous discussion that every parent who derives help from a child is necessarily a worthless reprobate. But this is not the case. There are many fathers who are incapacitated by sickness or by accident from providing for the livelihood of their children. There are many others who are in the still more pitiable plight of being able and willing to work, but who are not able to find work to do, the most heart-breaking position any man can find himself in who has others depending upon him for support. If the House take the worthless reprobates into consideration, they are also bound not to exclude this suffering class. In many and many a case, some of which are within my own personal knowledge, the broker's man has been kept out of the home, and the widowed mother has been kept out of the work-house by the exertions of the children who are employed in theatres. The operation of this clause can only be of the most harmful character. It shuts against these children of the poor almost the only door of escape from their rags, their misery, and their squalid homes. The clause as it stands is one for the infliction of cruelty on children, and not for its prevention; and I entreat the House to strike out these most objectionable words, and to adopt the alteration which I now move.

MAJOR RASCH (Essex): As a member of the Society for the Prevention of Cruelty to Children, I rise to second the Amendment. I think that this portion of the Bill will do more harm than good to children. It will prevent them from earning a few shillings in the winter months, when money in the homes of the poor is most urgently needed. I think that the Gentlemen, actuated no doubt by the best motives, who succeeded in inserting this alteration in the Bill on the last occasion, have been guided more by sentimental than by practical considerations in dealing with the subject. It is important to bear in mind that the employment of young children in theatres has been prevalent in this country for many years, and under proper regulations I maintain that no

harm can result to children so employed.

Amendment proposed, in page 2, Subsection (c), lines 22 and 23, to leave out the words—

“Or in premises licensed according to law for public entertainments,”

and insert the words—

“Other than premises licensed according to law for theatrical or dramatic entertainments, acrobatic and gymnastic performances excepted.”—(Mr. Jennings.)

Question proposed, “That the words proposed to be left out stand part of the Bill.”

*MR. S. SMITH (Flintshire): I am sure that the House has listened with much interest to the able speech of the hon. Gentleman (Mr. Jennings). I readily recognize the sincerity of that speech, and I believe that the hon. Gentleman is acting according to his convictions for the good of the children. I admit that this is a fair arguable case from his point of view; but I still hold the opinion that it cannot be good for young children under 10 years of age to be employed in the heated and forcing atmosphere of theatres. I believe that such employment is injurious not only to the nerves but to the mental and physical development of children. The hon. Member quoted instances of actresses having been employed in theatres at five years of age; but I am certain that no hon. Gentleman in the House would dream of permitting any child of his to be so employed at four or five years of age, or even at 10 years of age. Now let me call the attention of the House to the view of the leading theatrical paper in the country on the subject. The *Era* speaks words of truth and soberness, for it says that, in the interest of the drama, it objects to the employment of very young children in theatres, and it added that, even in the case of children of real talent for acting, in its opinion, it was injurious to the development of that talent to put its little possessors to work too early, for the forcing process was always an unhealthy one. It is also asked by the writer why an exception should be made in favour of a calling like that of the stage, which is admittedly one of the most exhausting and exacting both for nerves and body. It is further shown that in France, Belgium, and the State

of New York, it has been decided that children should not be employed on the stage until they were 15 years of age. As a matter of fact, however, I find that, according to the laws of the State of New York, the age is really 16. In moving his Amendment the hon. Gentleman confined himself to the case of some of the best managed theatres in London. But this question is not to be argued mainly with reference to a few exceptional cases of good management. It has to be argued with reference to the thousands of poor, second-rate, and sometimes very low and demoralizing places of amusement scattered all over the country. I am not ignorant of the effect of some of these low places of amusement on the morals of children. There are tens of thousands of children who have been horribly demoralized by attending some of the low music-halls, penny gaffs, and inferior classes of theatres. The children employed in those theatres pass from town to town; they are a sort of vagrant population without education; and if this clause can be enforced we shall be enabled to bring a large number of those children under good, sound, wholesome instruction. As to the morality of the stage, I admit I spoke somewhat strongly on the last occasion; but, speaking from what I know, I hold that the theatrical profession is not a safe one. There is a very large percentage of evil in the theatrical profession, and this view I adopt from the mouths of some of the most eminent members of that profession. But I will not go into that subject now. What we hold is this, that up to 10 years of age a child is not fit to be employed in the unhealthy and forcing atmosphere of the theatre, which is injurious to its health, education, and character.

MR. ADDISON (Ashton-under-Lyne): I must say the zeal and sincerity of the hon. Member (Mr. Smith) are so ardent and his motives so worthy that his opinions ought to be treated with the greatest respect; but I am rather surprised that the hon. Member should have made an offer to liberal sentiments, because in the course he is taking the hon. Member is departing from the principle of liberty which was once the boast of all Liberals and Radicals, which, I am sorry to say, is now mainly advocated from the Ministerial Benches—the

Mr. S. Smith

principle that you have no right to interfere with the liberty or calling of other people except where strong public necessity is shown. So far from showing any such necessity, the hon. Member can only say that the theatrical avocation is exciting and exhausting to the nerves of children. The hon. Member has made an appeal also to our feelings as parents. Well, I confess that as regards my own children, I should be sorry to see them working in the healthiest and best ventilated factory in England, or working in the shops, or in a great many other callings in which, I hope, it will always be lawful for the children of the poor to be engaged. But I say there is nothing in which my own children up to and beyond the age of 10 take a greater delight and enjoyment than in acting or what they call "dressing up," and instead of its injuring their nerves they always seem to me the better for it. The children of the hon. Member (Mr. S. Smith), equally well brought up, no doubt, are not allowed to act; but I doubt if they have enjoyed the little sedate occupations of their youth as much as my children have enjoyed theirs. The hon. Member in making his next point read a quotation from the *Era*. If he had read a little further he would have seen where the cloven hoof came in, because he would have observed that the *Era* was going in for the protection of grown up actors; and objected to the competition of little children. The hon. Member thus departed from democratic principles in two respects. First, he departed from them by attempting unduly to interfere with lawful rights and liberties; and, secondly, he departed from them in advocating protection for grown up people. As for myself I am not surprised that the *Era* put this point so strongly; because the old actors not only have to compete with children, but often have to compete with them very much to their own disadvantage. I have never seen the *Pirates of Penzance* better played than when the parts were performed by children. To the list already quoted of great actresses who appeared on the stage at a very early age might be added the name of Mrs. Siddons, and many others. It is said that children are not necessary to the stage; but, in my opinion, the interest of many plays and operas would be destroyed if little children could not act in them. Could

Prince Arthur or Little Lord Fauntleroy be played by grown-up people? If "Arline" were bound to be over 20 years of age she would never reach "the marble halls," and her gloomy father would not be able to sing "The heart bowed down." If the unhappy fruits of Adelgiso's intimacy with the Roman soldier were two grown-up young ladies, looking as if they had just come out, and seemingly well able to take care of themselves, and inclined rather than otherwise to follow their mother's example, what would become of the opera? There is something which almost lends itself to ridicule in the notion that children are any the worse as regards training, treatment, or education in consequence of their being employed on the stage. At the bottom of the honest opposition of the hon. Member opposite is the belief that the stage has a corrupt and demoralizing influence, and consequently he desires to protect little children from being trained up as actors and actresses. That sentiment ought not to influence hon. Members in departing from the sound principle laid down by democratic writers that Parliament has no right to conduct the affairs of the nation by these ill-advised attempts to do good, which always result in doing harm, and by proceeding on the notion that no people are able to look after their own interests without the interference of Parliament.

MR. LABOUCHERE (Northampton): It is somewhat curious that there appears to be a difference of opinion on this question of ballet girls according to the side of the House on which hon. Members sit. For my own part, I do not consider it a political question in any way. I can understand Gentlemen taking one side or the other; but what I do not understand is that Gentlemen calling themselves Liberals take one side of the question, while most Conservatives take the other. I feel myself in unison with the Attorney General upon this matter. The hon. and learned Gentleman is most anxious to put an end to cruelty to children; but after having thoroughly investigated this matter, he does not believe that there is any cruelty in the present system as far as regards theatres. Most of my hon. Friends are opposed to the Amendment of the hon. Member for Stockport. On most subjects they doubtless know a great

deal more than I do; but on this subject of ballet girls I must claim to know as much as anyone else. I will take the case of Drury Lane as a test case. One half of the children employed there are under 10 years of age. If trained they receive from 1s. 6d. to 2s. for each performance; if not trained, from 9d. to 1s. At Christmas there are about 12 performances a week, and the pantomime goes on for a considerable number of weeks. If this employment causes no injury to the children, surely it is *per se* an advantage that they and their families should have at Christmas the benefit of the few shillings which they earn. But then my hon. Friends say, "Why should you make one law for theatres and another law for factories?" The reason is that a theatre is not a factory, and that a factory is not a theatre. One cannot imagine that children, if they had their choice, would want to go to work in a factory. The work is very hard there, but in a theatre it is exactly the reverse—a sort of educational system united with amusement. In fact, a theatre is a sort of Kindergarten. The children, from a physical point of view, learn to move about well; they are well washed and taken care of, and they gain infinitely more in the hours which they pass in the theatre than they would gain by remaining at home. It must not be supposed, as the hon. Member for Stockport has pointed out, that these children, if they stopped at home, would be taken by nurses to little brass-bound beds at an early hour of the evening. In all probability they would be found running about the streets in the neighbourhood of the slums of London at all hours of the night. We have been told by the Member for Flintshire that the opinion of the profession is against the employment of children. The hon. Member cited the *Era* as representing the views of the profession. It should be remembered, however, that a deputation from all the London managers waited upon the Home Secretary, and the right hon. Gentleman will admit that it was a fairly representative deputation of the profession, and that they were one and all in favour of the employment of children. The hon. Member for Flintshire, while admitting that the London theatres are well conducted, says there are thousands of places throughout the

country where children are demoralized. I wish the hon. Member had not been so vague in his statement, but had named some particular cases. In respect to this Amendment, it is to be noted that it does not cover music-halls. The Amendment speaks only of places which are licensed for dramatic entertainments. No doubt there are music-halls into which no children, whatever their age, should go, but this is a question of theatres, and theatres alone; and theatres in the country are almost in every case as well managed as theatres in London. If the hon. Member for Flintshire will come with me to some theatres in the evening I will introduce him to the ladies and gentlemen there, and the hon. Gentleman will, I am sure, be convinced that there is no bad treatment of the children. Theatrical people are generally kindly, and the only injury to the children is injury to their stomachs from too many sugar plums and cakes. The hon. Member says that employment at such an early age injures the children physically, particularly their nerves. Has he given any evidence to show it? Has he quoted the opinions of any medical man? No; but a medical authority was quoted by the hon. Member opposite (Mr. Jennings), who stated precisely the reverse. There can be no doubt that it in no way injures the children physically to go through this small amount of work—play I would rather call it. As to immorality, I do not understand the views of my hon. Friend on that subject. Does he mean that children under 10 would be demoralized, but that they would not be demoralized if above 10? Of course, some of the girls go to the bad, I perfectly admit it. And it is as perfectly certain that there are politicians who go to the bad in this House. But, as a matter of hard fact, it is exceedingly rare that girls brought to the theatre at a very early age go to the bad; they look upon the thing as a matter of business. The girls who go to the bad are those who go on the stage at 18 or 19 without preliminary training. I speak from an exact knowledge of the subject, whereas my hon. Friend only has a theory about ballet girls which is evolved from his own inner consciousness. As to the difficulty with regard to educa-

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tion, I deny that the children belong to the vagrant population unless where their parents move about the country, and where that is the case does my hon. Friend intend to stop them? The idea that the children will lose their education by going to theatres before 10 is a mistake. At Drury Lane and other places there are schools for the children, who, I believe, are as well educated as they would be at Board Schools. I hope the House will take a practical view of the matter, and that nobody will give his Vote upon the question because he sits upon this or upon the other side of the House. I do not believe children suffer harm by taking to the stage under 10 years, either physically, morally, or intellectually. But whether they suffer morally or not, it is not a question for a Bill for the prevention of cruelty, because in no case can it be proved that any sort of cruelty exists.

*MR. H. H. FOWLER (Wolverhampton, E.): I do not pretend to compete with my hon. Friend who has just sat down in knowledge or experience about one aspect of this question, which I venture to say is totally foreign both to the clause and the Amendment under discussion. I agree with my hon. Friend that this is not a political question; and if my hon. Friend studies the Division List of a fortnight ago he will find that the very valuable Amendment on the subject was carried both by Liberal and Conservative votes. I hope, therefore, the House will exercise its common sense, and not be influenced by the amusing and almost fantastic arguments of my hon. Friend. The hon. Member for Stockport (Mr. Jennings), in his able speech, laid down the proposition that Gentlemen should not attempt to legislate on this question who had no practical knowledge, or who were without a considerable amount of acquaintance with the subject of the performances of children in the theatres. Well, the same kind of arguments were used against Lord Shaftesbury with regard to the Factory Acts. It was said that the Conservative and Agricultural Party were in absolute ignorance of the condition of factory children, and that the children, if not employed in factories, would be roaming about our large towns, and would be subjected to all sorts of

evil influences. And as now with the theatres, instances were given of great factories in Lancashire conducted in the most admirable manner with the greatest consideration for the interests of the children employed. It was also said that if not trained early they would not be fit for labour in factories. The same was said even of mines, and it was argued that if the employment of children was stopped the race of miners would come to an end. I am not objecting to the employment of these children because they are employed in theatres. I am objecting to the employment of children under 10 anywhere, whether in the factory, theatre, the church, or the chapel. I object to children under 10 being obliged to work for their living, and to isolate cases of destitute parents being brought forward in support of the argument of hon. Gentlemen, such cases being no justification. The point is whether, in legislation affecting children, we will or will not allow children under 10 to labour. We have prohibited children's labour in factories and mines; we have gone a great deal further. We talk of healthy occupations. What more healthy occupation than agriculture? and yet we have prohibited children under 10 from working upon a farm. Acrobatic performances in the case of children I believe to be distinctly cruel, but I do not deal with that point now. I plead that there should be no exception, and that in this country children under 10 years shall not be employed. A wise, a humane, and a Christian State claims the right to regulate these things, and it is on that ground I shall give my vote.

*SIR RICHARD TEMPLE (Worcester, Evesham): I rise with much regret to oppose the Motion of my hon. Friend the Member for Stockport; but I feel that, owing to the position which I have taken, and still hold, in relation to the elementary education of London children, I have no alternative. I am further called upon to briefly address the House, because my hon. Friend has done me the honour to allude to the part I took in our proceedings a fortnight ago, and he virtually said that my vision was bounded by the horizon of the School Board. But my hon. Friend

shot his arrow very wide of the mark.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*SIR RICHARD TEMPLE: Before this little interruption, I was saying my hon. Friend the Member for Stockport was wide of the mark when he said my view was bounded by the School Board, for it is well-known that I, though a member of the School Board, am a thorough advocate of the voluntary system, and do my best to promote education in all voluntary schools. Against theatrical training I say nothing—that is, the schools kept up inside theatres for the children employed there; only I say let those children take part in them who are over 10 years of age. I do not say that there should be no little fairies. It is by no means a question of fairies or no fairies; but whether the fairies shall be under or over 10 years of age. My hon. Friend gave us a long list of performances—charming plays some of them—which he says could never be acted unless children under 10 are allowed to take part in the performance. Now, I ask hon. Members is this really a practical objection? Will any man of the world believe that the fact of the age of a child being 10 or 11, eight and a half, or ten and a half, can make any difference to the performance? If this Bill passes into law all those charming performances alluded to can go on without any appreciable difference to the audience. But the difference will be very great for the children and for their future, and I say it would be the quintessence of selfishness if, for the sake of theatrical finance or to avoid some slight modification in spectacular representation or pantomime, we condemned the children to those evils which all educational authorities declare to exist. We have heard mention of many distinguished persons whose career on the stage began at a very tender age, and all that need be said is that these were exceptional cases for which we cannot legislate, and I think also these were children of well-to-do parents, and were probably of gentle birth. We are not thinking of that class; we are thinking of the many who come from the poorest and most unhappy homes in the neighbourhood of

speaking is necessary. The hon. Member for Stockport read a list of instances, but they were all "ballet."

*MR. JENNINGS: I gave a list of some of the most celebrated plays in English literature.

*MR. WINTERBOTHAM: The hon. Gentleman has misunderstood me. I referred to the cases he read to the House of individuals, and what they are doing now, and in almost every case it was the ballet. My statement is that they are employed as specially pretty children, and that the great proportion join the ballet corps afterwards. I am not afraid of being told that I am in favour of grandmotherly legislation when I advocate the protection of these children of tender years from being brought up to this profession by special relaxation of the law. What becomes of them? They grow up as ballet girls, and what becomes of 75 per cent of the ballet girls? Ask the City Missionaries, and the devoted ladies who do such noble work among their fallen sisters! They grow older, their limbs become stiffer, younger ballet girls compete with them, they have been exposed to a certain atmosphere, certain tastes have been developed, they are not fitted for the ordinary pursuits of the world, they leave the ballet, and what becomes of them? I am sorry to say, but I believe it to be the sad truth, that the majority of these poor girls go on the streets; and I feel, Mr. Speaker, that I am only discharging my duty in reminding the House of this serious fact. I read in a paper called the *En'traite* :—

"When Flossy has put on gorgeous raiment for the theatre, and has taken ever so small a part in a successful scene, her affection for sewing buttons on her brother's shirt is very small."

It is gravely argued that the children like it. Are we necessarily doing our duty by these little ones by letting them do the pleasant thing? The society papers are all against us, but they are generally on the side of the pleasure loving public. I am sorry to see that they have enlisted Mr. Punch against what I think is the right side on this question, for he is generally on the right side. The opposition has been called "cant," "religious hypocrisy," "humanitarianism," and the usual epithets have been applied to us. We had all this

when we were legislating for the protection of women and children not long ago; we had to meet it on the question of flogging in the Army; we had it when we attacked the wicked and disgraceful Army brothel system in India and put an end to it last year, and the same thing happens now. But I care not what is said of us; it is as a Christian I am going to vote; it is the cause of "these little ones" so dear to Christ that we plead for to-day. I accuse no one who differs from me of not being perfectly conscientious in this matter. I know that there are good people who own those gin palaces, which one hon. Member alluded to, from the influence of which the fairies, he said, were taken who spend money generously and liberally, and who would be shocked if they were accused of being in any way responsible for the poverty, vice, and crime connected with such places. I hope I have not said a word to imply that those who support this Amendment are not perfectly conscientious in their views; but it is because I believe the moral and spiritual welfare of these dear little children of 6, 7, and 8 years old is involved that I am going to vote against the Amendment. There are parents who are willing to sell their children.

An Hon. MEMBER: Oh, oh!

*MR. WINTERBOTHAM: We know, alas that that is so; and although some hon. Member says "Oh," we have ample proof that there are parents willing to sell their children even for an evil purpose, while numbers are ready to sell them for the purpose of earning money. But we are dealing now with the great mass of the working class, and not with a few exceptional cases; and I say the people of this country are against children under 10 being put to any work at all, their desire being that they should be properly educated and trained for the battle of life. And I warn the House that, if this Amendment should unhappily be carried, the people will ere long demand that the exemption it embodies shall be repealed.

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): I almost feel ashamed of myself because I was hardly able to listen to the speech of the hon. and learned Member who has just spoken without a sense of indignation. I do

Mr. Winterbotham

not for a moment doubt the reverence of his allusions to Christianity; but I object to his affectation of moral superiority over the rest of the House, and especially to his claim to guardianship over parents of our poor children, which I am not disposed to yield to him without further consideration. But it is not so much on account of the hon. and learned Gentleman's assumption of moral superiority, of which I am perfectly ready to make him a present, as it is on account of his apparent claim that he and his friends are better judges of what is good for other people than they are themselves, that I object to the manner in which he has dealt with this subject. He assumes that he and those who agree with him have so much more knowledge, so much more wisdom, and so much more experience of life that they have a right to tell the parents how their children should be brought up, and to exercise through the action of this House in a vicarious way the duties which in reality belong to the parents themselves. I must confess that I always take part in these social and philanthropical discussions with extreme pain and reluctance because I am unable to lash myself into that condition of moral superiority which leads one to believe that he is entitled to dictate what others should do in matters of this kind. I am unable to imagine that it is my business to decide for the parents, who, in nine cases out of ten, have the welfare of their children most sincerely at heart, what particular vocation in life they shall adopt, and I have always had a prejudice in favour of that old-fashioned doctrine, which I know is quite out of place in this advanced age, of trusting a good deal to the responsibility of the parents, and not attempting to take the duty of managing their children absolutely out of their hands, and of throwing on them the duty of seeing that the education and employment of their children are such as to fit them for their future course of life. Holding these antiquated views, I approach the consideration of this question from a very different point of view to that of the hon. and learned Member. I do not see how I am to dictate to the poor of London the particular way in which the poor of London are to train and educate their children. I simply ask myself whether a case has

been made out for the interference of the State with the natural duty of the parents and the responsibility which devolves on them; and I confess I cannot see that such a case has been made out. The hon. and learned Gentleman spoke of drawing the line at theatres, and of this House enacting that children should be allowed to go to such places; and he and his friends are now asking for the means of preventing the employment of thousands of children of the poor, who now assist their parents in eking out the means of existence during the winter months. I know, as a matter of fact, the hardships which such an interference would impose on the poor of London. There are hundreds and thousands of children in the Metropolis whose employment in this way helps to lighten the struggles of their parents with cold and hunger and all the other difficulties which beset the lives of the poorer classes. The hon. and learned Member asks us, in the name of Christianity and benevolence, to cut off this source of supply. By all means do so if the necessity can be demonstrated; but, at all events, let a good case be made out. I ask the House, has such a case been made out? My hon. Friend the Member for Worcestershire (Sir R. Temple), in the excellent speech he made a short time ago, admitted he had nothing to say against the employment of children at theatres—in the sense that no cruelty was practised, that no physical deterioration was produced, and that there was no evidence of any inferiority of moral condition on the part of children as compared with the ordinary moral condition of other children of the same class. This being so, I simply say that no case has been made out for State interference of this character with the usual employment of the children of the poor, and therefore it would be an act of tyranny on the part of the majority of this House, without any adequate case being made out, to shut the door to such employment, and determine that these children shall be deprived of the opportunity of assisting their parents in obtaining their daily bread. This is a matter in which I rely on the dictates of reason and common sense. I believe that society would, upon the whole, go on better if the poor were left to take care of their own children, and decide

for themselves what employment they should be put to. I was much struck by the argument of my hon. Friend the Member for Worcestershire. He agreed, in the main, that the School Boards should not go beyond the provisions required for educational purposes; and it is well known that schoolmasters are, as a rule, the natural enemies of recreation and amusement. But would the hon. Gentleman allow the School Boards and schoolmasters and the Privy Council the exclusive right to dictate what shall be the employment of the children of the poor? All that School Boards and schoolmasters can, and ought to do, is to see that the conditions prescribed by the Education Acts are, in the case of the theatrical children as well as others, properly fulfilled. If they are not fulfilled, by all means let the law take its course; but if it be found that, in spite of late hours and the excitement consequent on the employment of the children at the theatres, all the educational requirements of the law are fulfilled as well as or better than in the case of other children of the poor, then I see no reason in the School Board argument why this House should interfere in this matter. I am obliged to the House for allowing me to say these few words. I hope I have not repeated those arguments which have given so much concern to the hon. and learned Gentleman the Member for Cirencester (Mr. Winterbotham); and I urge, upon the doctrine the hon. and learned Gentleman is disposed to sneer at, that the parents should be held primarily responsible for the care and education of their children, and that the State should never interfere with the sacred parental duty unless a strong case for such interference is made out.

MR. L. H. COURTNEY (Cornwall, Bodmin): I must say my hon. and learned Friend is marvellously modest in his ideas. He wishes to excuse himself from being supposed to have moral or intellectual superiority, not merely over Members of this House, but over parents. He puts himself in a position—which he confesses is old-fashioned—of maintaining the responsibility of parents. But although I also feel very strongly the desirability of maintaining the responsibility of parents, I must impress on the hon. and learned Gentleman that his position of unrestricted and

uncorrected responsibility on the part of parents is nearly 50 years behind the age. What has struck me most in the course of the Debates on this subject has been the way in which hon. Members have treated the principles which have governed the legislation of this House during the last 40 or 50 years. To say to a parent that a child shall not be sent out to earn a living unless it is over 10 years of age, is talked of as if it is frightful. Hon. Gentlemen do not appear to realize that the *onus probandi* does not rest upon those who desire to see children under 10 restricted from employment in pantomimes, but upon those who are against that restriction. I desire to dissociate myself from some arguments that have been used as to the conditions of theatrical employment, and the subsequent conduct of those who are temporarily thus employed. I take my stand upon this—that the advocates of such employment have not discharged the *onus probandi* that lay upon them, and have shown no good ground why children under 10 years of age, who are debarred from other employment, should be permitted to be employed at Drury Lane and other theatres. Why should this special exemption be made? We have been told of the grievous necessities of poor parents, and of the hardships which will be inflicted on them if they are deprived of the scanty earnings of their children. But we have heard those arguments on previous occasions, and yet we relentlessly interfered with the employment of children under 10 in factories. It is said that if this employment is not allowed the parents will in many cases have to resort to parish relief. But there are many parents who are careless and negligent, and who take the earnings of their children, who, without such earnings, would manage to support themselves. But even if the parents were driven to obtaining assistance from the parish to maintain themselves and their children, the House of Commons, with its superior wisdom, says that even that is better than that children should be subjected to employment prematurely. That is the position we have assumed in the past, and I say we are bound to carry it through. But a further argument has been advanced in favour of the exemption of theatres from this enactment. It is said that if you cannot employ children under 10 years of

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age you will not get finished artists in adult years, and that, if the employment of children is forbidden, it will be fatal to the subsequent appearance of artists on the stage. There is no reality in this suggestion. We have often heard it before, and may at once put it aside as a mere phantasm. In France the employment of children is forbidden, yet France is not without its theatrical artists, and the French stage is fully as respectable and far superior to anything we have on this side of the water. To-day we have had the case of the theatrical managers placed before us. But the same arguments have previously been advanced on behalf of almost every trade and profession. Factory owners, coal owners, ship owners, newspaper proprietors, and other employers like the theatrical managers all desired special exemptions in their case, and pointed out how necessary such exemptions were. But unless the House is prepared to make other exemptions, I see no reason for making an exception in favour of theatrical managers. Parliament has refused to make these exceptions in the past. I hope a like refusal will follow in the present instance.

***SIR R. WEBSTER:** Before I deal with the interesting speech which has just been delivered, I wish to say a word or two as to the course I propose to take in the event of this Amendment being, as I hope it will be, carried. If it is agreed to I shall move the insertion of words making it an offence under the Bill to employ a child under the age of ten years in any acrobatic or gymnastic performances. I think we are all agreed on the importance of doing that, and I have no doubt the hon. Member for Stockport will accept that Amendment. And now, in answer to the speech we have just heard, it might have been supposed that we were discussing the Preamble of a Bill to extend the Factory Acts to theatres. But the Bill is one to prevent cruelty to children, and I protest against the principle of factory legislation being invoked. I can only speak of what occurred in this House when the factory legislation was under consideration from what I have read. I have read with interest many of the brilliant speeches

delivered by great men, some of whom are still with us. But, so far as I know, all legislation of the nature of the Factory Acts has been based on proved cases of injury to the children, or positive interference either with their education or health. As the right hon. Gentleman who last spoke knows perfectly well, I respect his opinion as much as any Member of this House. But why, I ask, if this is the line on which he declines to support the Amendment, has not a Bill been boldly introduced to extend the Factory Acts? Now, I want to bring the House back to the real question, and that is, is the employment in theatres of children under ten years productive of cruelty, or injurious to the health or education of the children? It is practically admitted that it is not? My hon. Friend the Member for Evesham said he could not see any reason for allowing, even indirectly, children to be employed in theatres, if you forbid them to go into the streets for the purpose of singing, playing, and performing; and what were the reasons which induced the House to accept the arguments of the right hon. Gentleman the Member for the Brightside Division of Sheffield. He said, in clear, forcible, and pathetic language, that children under the pretence of singing and playing had been forced into the streets, and cruelly ill-treated by their parents if they did not bring home sufficient money. But in the course of the 20 or 30 speeches we have had on this matter nobody has suggested that a parent has ever forced a child against its will to sing or play in a theatre in order that that parent might trade on the earnings of the child. I desire to enter my protest against the tone adopted by the hon. Member for Cirencester. I have had the privilege and honour of discussing this matter with Mrs. Fawcett, and I have also seen the Rev. B. Waugh, both of whom state — and I do not understand that it is contradicted by any Member of this House — that, so far as they know, not a single instance of cruelty in connection with employment of children in theatres has ever been discovered. We are not now considering shall these children have the education given in a theatre, or education of a different character; but we have to consider whether the employment of

children under 10 years of age in a theatre is likely to injure them. I venture to suggest that a false issue has been raised by the opponents of this Amendment. If this is purely an educational question — as suggested by the hon. Member for Evesham — why do not the School Board do their duty? Under the Education Act of 1876 there is a remedy which I understand has been put in force in many parts of the country, for inspectors have attended the theatres, in order to see if the children employed in them are given a proper education, and if the instruction supplied is insufficient then the law has been enforced. I repeat, we are here to consider whether this method of employing children is in itself such as will subject them to improper and cruel treatment. I hope I may be pardoned for not following hon. Members into questions of morality; but if it is right to allow girls of 11 or 12 to be employed in theatres, surely it is absurd to suggest that immorality is encouraged if the children employed are under 10. The most experienced managers of theatres find that good is done by inducing children to look upon the theatre, rather than the streets, as their school and playground. I would be among the first to join in any legislation to prevent the cruel treatment of children; but I ask the House to accept this Amendment, on the ground that this is not a measure in which to extend the provisions of the Factory Acts.

*MR. MATHER (Lancashire, Gorton): I understand the Attorney General to say that the terms of this proposal, to prevent cruelty to children, cannot be properly applied to children who are employed in theatres in the most innocent and harmless occupation of amusing the public. Now, I contend we have to decide whether the occupation so described by the Attorney General is one that in any sense comes under the category of occupations which are defined in the Bill as being hurtful, either morally or physically, to children; and I think Members of this House who have listened to the debate on this question, both to-day and on a former occasion,

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when the subject was exhaustively treated, will agree that while personal ill-treatment of children at theatres is impossible, yet the excitement and the unnatural conditions of labour for a child under 10 years of age cannot but engender imaginations under conditions which for children of tender age are extremely harmful to them. The right hon. Gentleman the member for Wolverhampton brought the House down to the narrow point which we have to decide, and that is whether we will agree, under any circumstances, to allow children under 10 years of age to be engaged in any occupation which can be constructively harmful to them. It is simply necessary to consider whether the children are placed in circumstances likely to be injurious to their education, and to engender in their minds certain notions which, at 10 years of age, cannot possibly be otherwise than hurtful. We have already by Act of Parliament laid it down that every child under 10 years of age shall be absolutely free from gainful occupations; that they shall be forced into public elementary schools, and compelled to take the education necessary for the preparation of their minds and bodies for the duties of life. Now we cannot both enjoin high duties in this respect upon the parents, and, at the same time, give them power to use their children in the evening in such occupations as may be hurtful to their morals. I think that public opinion on this question has been tested in the Town Councils of the country. In 1882 the Town Council of the City of Manchester certainly was in favour of prohibiting the employment of children under 10, either in theatres or in any other places of entertainment; and I believe if the provisions of this Bill could be laid before that body, it would again unanimously come to a like conclusion and vindicate the great principle that, at 10 years of age, children should be absolutely free from all necessity, either through their parents or guardians, of undertaking occupations which are unnatural and likely to be harmful to them.

MR. HOWELL (Bethnal Green, N.E.): I should not have taken part

in this Debate had it not been for the reference that the working classes would be immensely benefited by the adoption of the Amendment proposed by the hon. Member for Stockport. Now, I think it would be very difficult indeed to find any considerable number of the working classes so called who would be immensely benefited. On the contrary, I think that a majority of that class, were they appealed to tomorrow, would be in favour of the Bill as it stands, rather than of the Amendment of the hon. Member opposite. I may say I am astonished more particularly at the cynical references made by the hon. Member on the Front Government Bench to the speech of the hon. Member for Cirencester. The hon. Gentleman must have been thinking that he was legislating for India, and though he cannot be said to be distinguished for the same opinions with regard to morality and religion as the hon. Member for Cirencester holds, yet he is distinguished for the cynicism with which he approaches this important subject. Let me recall the attention of the Attorney General to this fact. He has referred to the number of speeches made in this House with regard to factory legislation. Let me remind him, and also those who may be in favour of the Amendment now proposed, of what was brought before the Commission in 1839, 1840, and 1841. If they turn to the Report of that Commission they will find the same kind of evidence was brought to bear in favour of the employment of young children of four years of age in the mines of this country. ["Oh! Oh!"] Some hon. Members cry "Oh! Oh!" but if they will only read the evidence they will find that precisely the same kind of argument was brought forward in support of little children of four years of age being employed in the coal mines, as are now urged in support of this Amendment. With regard to this matter, I hope the House will not narrow it down as the hon. and learned Gentleman the Attorney General wishes it to. I say it is not a mere question of physical cruelty, but it is a question of children being cruelly injured mentally,

morally, and physically, by being brought into contact at an early age with all the evil influences attaching to theatres. The Amendment is an effort to make an exception in favour of theatres, on behalf of the theatre-going public. It is quite a modern innovation to put children upon the stage, and it is more than ever necessary to protect young children even from their parents. In the public interests, and particularly in the interests of the working classes, there ought to be no employment of children under 14 years of age; and I should be prepared not only to extend the age mentioned in this clause from ten to 14 years, but I would not suffer any child in this kingdom to be employed in any occupation whatever until it had attained the age of 14 years.

The House divided:—Ayes 188; Noes 139.—(Div. List, No 194.)

Amendment proposed, Clause 1, page 2, after line 31, insert—

"Provided that any Local Authority may, if they think necessary or desirable so to do, from time to time by bye-law entered or restrict the hours mentioned in Sub-section (b) of this section, either on every day or on any specified day or days of the week, and either as to the whole of their district, or as to any specified area therein."—(Sir R. Webster.)

Agreed to.

*MR. H. S. WRIGHT (Nottingham, S.): I have put down an Amendment, in order to obviate one of the objections to the employment of children in theatres—namely, the late hours. After the Division that has just taken place, I cannot hope very much that the difference between early and late hours will weigh sufficiently with hon. Members to induce them to accept the Amendment, but still I should like to take the sense of the House upon it. I think that if all the hon. Members who voted in the Division which has just taken place had heard the debate, there would have been a much larger minority, if not a majority, for the Amendment of my hon. Friend (Mr. Jennings). I think that the question of time may have some influence with hon. Members, and I beg to move my Amendment.

Amendment proposed, Clause 1, page 2, at end, add—

"Provided, That nothing in this Clause shall prevent the employment of children in theatres before the hour of nine p.m."—(*Mr. H. S. Wright.*)

Question, "That those words be there added," put, and negatived.

**SIR R. WEBSTER*: The next Amendment is one I have put down, in pursuance of a pledge given when the Bill was in Committee.

Amendment proposed, Clause 2, page 2, lines 38 and 39, leave out the words "sub-sections (a) and (b)," and insert "or sub-section (a) of section two."—(*Sir R. Webster.*)

Agreed to.

Other Amendments agreed to :—

Clause 2, page 3, line 7, after "into," insert "such."—(*Sir R. Webster.*)

Clause 2, page 3, line 9, leave out all after "charge," to end of Clause.—(*Sir R. Webster.*)

Clause 3, page 3, line 14, leave out the words "sub-section (a)."—(*Sir R. Webster.*)

MR. KELLY: I beg to move in Clause 3, page 3, line 15, to leave out "(b) committed for trial for any such offence." I venture to ask the House to consider whether it is proper to enact that a person whose guilt has never been proved should be dealt with in the same way as a person whose guilt has been proved. I doubt whether the House desires that a person who may have committed no offence, and who has been committed for trial on evidence upon which no real reliance can be placed, should be treated in the same way as a person who has actually been found guilty. It is certainly very novel to the law that a person's guilt should be assumed before he has been found guilty; and I ask the House to refuse to adopt a provision that any parent should be deprived of the society of his own child, simply because on unreliable evidence he has been committed for trial.

Amendment proposed, in page 3, line 15, to leave out the words, "(b) committed for trial for any such offence."

Question proposed, "That the words proposed to be left out stand part of the Bill."—(*Mr. Kelly.*)

**SIR R. WEBSTER*: My hon. and learned Friend seems to have forgotten that the clause would only have operation where a *prima facie* case has been proved before the Magistrates sufficient to show the guilt of the person to their satisfaction. I must say that under such circumstances I should not like to leave the child under the power of the individual, who might have more vindictive feelings from the knowledge that he had been found out. The section is safeguarded in every way, and if we are prepared to protect the child we ought to do it thoroughly.

Question put, and agreed to.

The following Amendments were agreed to :—

Clause 3, page 3, line 20, leave out "its parent," and insert "such person."—(*Sir R. Webster.*)

Clause 3, page 3, line 20, leave out "its next friend," and insert "a relation of the child."—(*Mr. Tomlinson.*)

Clause 3, page 3, lines 25 and 26, leave out "such parent has been accessory," and insert "a parent of the child is charged with being or has been party or privy."—(*Sir R. Webster.*)

Clause 3, page 3, line 35, leave out "Act, 1866," and insert "Acts."—(*Sir R. Webster.*)

**MR. TOMLINSON* (Preston): At my instance, when the Bill was in Committee, similar words were inserted in the earlier part of the clause, and it was suggested that the previous Amendment left the clause not quite clear, and I therefore propose to insert after "to," in line 37, "the person responsible for the maintenance of the child or."

Amendment proposed, in page 3, line 37, after the word "to," to insert the words "the person responsible for the

maintenance of the child or."—*Mr. Tomlinson.*)

Question proposed, "That those words be there inserted."

**SIR R. WEBSTER*: I do not think the Amendment is necessary. The Court would give the custody of the child to some person whom it would name. I think the words as they stand are quite sufficient.

Amendment, by leave, withdrawn.

The following Amendments were agreed to:—

Clause 3, page 4, line 7, leave out from "committing," to "person," in line 8.—(*Mr. Tomlinson.*)

Clause 3, page 4, line 8, leave out "cancelled," and insert—

"Void except with regard to anything which may have been lawfully done under it."—(*Mr. Tomlinson.*)

Clause 3, page 4, at end insert—

"(3) One of Her Majesty's principal Secretaries of State in England or Scotland and the Chief Secretary to the Lord Lieutenant of Ireland may at any time in his discretion discharge a child from the custody of any person to whom it is committed, in pursuance of this section, either absolutely or under such conditions as such Secretary of State or Chief Secretary approves."

**MR. TOMLINSON*: I propose the Amendment I have placed on the Paper in order to carry out what was understood to be the intention of the Committee.

Amendment proposed, in page 4, line 18, leave out the words "place of safety," and insert the words—

"Workhouse or a place certified by the Local Authority to be a suitable place for the detention of children under this Act."—(*Mr. Tomlinson.*)

Question proposed, "That the words 'place of safety' stand part of the Bill."

MR. MUNDELLA: The Attorney General has words in Clause 11 which provide for all that.

**SIR R. WEBSTER*: The words appear in the Definition Clause, and the hon. Member can amend them if they do not satisfy him when we come to them.

Amendment, by leave, withdrawn.

Amendment proposed, Clause 4, page 4, line 21, leave out from "dealt with," to end of line 23, and insert "as may be authorised by law."—(*Sir R. Webster.*)

Amendment agreed to.

MR. JOHN KELLY: I beg to move after "under," in line 40, to insert "section 1, sub-section 1 of." I think that if the right hon. Gentleman opposite (*Mr. Mundella*) will bear in mind the great difference between the offences under this section and under the other sections he may be disposed to agree with me. I would remind him that this provision is something novel in law. Even in the Criminal Law Amendment Bill such a clause as this did not appear. I think it desirable that such a clause should be omitted altogether; but I say it is impossible for the House to pass the clause in its present form. I will not now discuss the question whether it is desirable, in reference to the graver offences, to compel a woman to choose between convicting her husband and committing perjury, for which she will be punishable by law. I would appeal to the learned Attorney General to support me in this Amendment, because I am sure that he and the right hon. Gentleman opposite (*Mr. Mundella*) will admit that there is the widest distinction between the different offences which will be struck at by this Bill.

Amendment proposed, Clause 5, page 4, line 40, after "under" to insert "Section 1, Sub-section 1, of."

Question proposed, "That the words 'Section 1, Sub-section 1 of' be there inserted."

**MR. ELLIOTT LEES* (Oldham): I think it would be well if my Amendment were discussed at the same time as that of my hon. Friend. My Amendment practically covers that of my hon. Friend, and if it does not commend itself to those in charge of the Bill I should be prepared, rather than give up the point altogether, to support his. My excuse for re-opening this question on the Report stage, after a Division in

which the minority holding my views only amounted to 13, is that the subject is really one of great importance, and that a radical alteration in our laws was discussed in a very thin House, Members trooping in when the Division was called, without really knowing what the question was under discussion, and voting simply on the Tellers' names. I should like to protest against the custom, which prevails too much among lawyers in this House, of introducing into small clauses of this nature alterations in our laws that are really of a wide and far-reaching character. I object to the smuggling of new principles into the law in this way. There is an undoubted principle involved in this question. It is quite a new principle that a wife should be compellable to give evidence against her husband. It is quite true that under the Criminal Law Amendment Act a wife is competent to give evidence against her husband, but she is not compelled to do so. Hon. Members who take the opposite view say, "What does it matter? *Fiat experimentum in corpore vili*. Those who cruelly ill-treat children are such downright blackguards that it does not matter at all." I object to that assumption, because you are making the experiment not on the brute who ill-treats the children, but on the wife. Bill Sikes may be a brute, but Nancy is not, and it is on behalf of the married Nancy that I am pleading now. Take the case of the stepfather who, in a fit of drunken cruelty, ill-treats his wife's children. He may be a good and kind husband when he is sober. If he is, she has to choose between giving evidence to save her children from ill-treatment and refusing to send her husband to gaol. If he is a brutal husband, she has to choose between committing perjury and getting a sound thrashing when he comes out of prison. The law of this country has always recognized the unity of man and wife with regard to questions of evidence; and I do not think it would be a good thing at all, especially for the poorer classes of this country, that the distinction between the evidence of husband and wife and the evidence of other persons should be done away with. It is said by many that, after all, this is only a bit of sentimental legislation of our fore-

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fathers. Now, I am opposed to most of the sentimental legislation of the present day, on the ground that nearly all of it tends to increase police power and to interfere with the freedom of the liberty of the subject. But if hon. Members will examine the bits of so-called sentimental legislation which have come down to us from our forefathers, they will find that in every one of them the sentiment is entirely in favour of freedom. There is one point in this clause which I certainly think has been overlooked. Under Section 3, if a person is guilty of a grave offence against a child the Court may order that the child should be placed in charge of another person who may keep the child, if a boy until he is 14 years of age, if a girl until she is 16. Suppose a mother has to choose between her child and a husband who is brutal to the child, but kind to her. She is certainly placed in a hard situation. She is compelled to give evidence, and she may feel that by the very evidence she is going to give her child may be taken out of her charge for many years. She may feel that in future she can preserve the child from her husband's cruelty, or she may have hopes of reclaiming the husband; and yet, if she speaks the truth, she may lose the society of her child for many years. I may say that I most heartily approve of the Bill as a whole, and thank the right hon. Gentleman opposite for having brought it in; but I hope the right hon. Gentleman will see his way to allowing the wife to remain only a competent, and not a compulsory, witness.

*SIR R. WEBSTER: Perhaps it will save time if I at once express my opinion on both the points that have been raised. I cannot advise the House to agree that the wife should be made a voluntary, and not a compellable, witness. The information before us is that, in cases in which horrible cruelties, amounting almost to starvation, have been practised by the husband, unless you can get the wife's evidence there is no chance of obtaining a conviction, and it is therefore necessary to compel the wife to give evidence. It is also necessary in the interests of

the wife, because if she be merely a competent and not a compellable witness, and if she volunteers to give evidence where she need not do so, she may bring upon herself the vengeance of the husband. As to the Amendment of the hon. Member for Camberwell (Mr. Kelly), it seems to me to be really a matter for the discretion of the House. I quite agree with my hon. and learned Friend, that the really serious part of the proposal relates to Section 1, which deals with cases of extreme cruelty. If he thinks there is a real necessity for the Amendment with regard to Section 2, I should not be prepared to oppose it.

MR. MUNDELLA: I hope the House will allow the clause to stand as it is. It has not been smuggled through the House or passed without thorough discussion, and I think there is more cruelty in connection with sending out children to beg in the streets than in any other form.

*SIR R. WEBSTER: I am rather in favour of giving the power unless in the more serious offences, but I do not desire to press my view in the matter, if there is a strong opinion against it. I would rather let the House decide the question as it thinks best.

The House divided:—Ayes 94; Noes 227.—(Div. List, No. 195.)

The following Amendments were agreed to:—

Clause 6, page 5, line 14, leave out from "Act," to "offences," in line 18, both inclusive, and insert "Indictable Offences Act, 1848."—(*The Attorney General.*)

Clause 6, page 5, line 29, at end, add—

"Provided always, that any such witness being convicted of perjury shall not be liable to penal servitude or to imprisonment for a longer period than two years."—(*Mr. Judge.*)

Clause 9, page 6, line 1, leave out "or complaint;" line 2, leave out "to a Court of General or Quarter Sessions;" line 3, leave out from "conviction," to end of clause, and insert—

"In England and Ireland to a Court of General or Quarter Sessions, and in Scotland to the High Court or Circuit Courts of Judiciary, in the manner provided by 'The Summary Prosecutions Appeals (Scotland) Act,

1875' (38 and 39 Vict., c. 49), or any Act amending the same."—(*The Attorney General.*)

MR. W. F. LAWRENCE (Liverpool, Abercromby): I now beg to move the Amendment, of which notice stands earlier on the Paper, to provide that the order for the custody of a child under Clause 3 may be made the subject of appeal. A parent should have the custody of a child at an early age, unless the Magistrate sees fit to make an order to the contrary; but it seems to me that the power of putting such an order in force depriving the parent of such custody for a term of years should not rest upon the opinion of one Magistrate merely, and therefore I would give the parent the opportunity at any time of appealing against such order to the Quarter Sessions. I am aware that the Lord Chancellor can, under the Bill, order the discharge of the child from the custody to which it has been remitted; but the chances are, that the parent who has lost the child will know nothing of this power of the Lord Chancellor, and will look to the Court which took the child from him. I think it would be wise to provide that, during the whole period of the absence of the child from his custody, the parent should have the power of appealing to Quarter Sessions to reverse the order.

Amendment proposed, at the end of the foregoing Amendment, to insert the words,

"and such Court may entertain any appeal against any order under Section 3 of this Act."—(*Mr. W. F. Lawrence.*)

Question proposed, "That those words be there inserted."

*SIR R. WEBSTER: I venture to think, having regard to what has been inserted previously, this is unnecessary. In the first place, the Court making the order has power at any time to alter or vary it; and in addition, to meet the suggestion of my hon. Friend, a clause has been inserted giving Secretary of State authority to give the order on such conditions as may think fit. There is an objection giving an appeal against the conviction stands—it is

novel procedure, because the Court of Quarter Sessions would not have jurisdiction to inquire into the merits of the original conviction, but would have to hear the whole of the case to determine whether or not such an order should have been made, and whether it should be annulled. I think it is more expedient to leave the clause as it now stands.

*MR. TOMLINSON: I doubt whether the power of the Court to vary an order quite meets the case; and I cannot help thinking we ought to provide something more definite than this power in order to secure effectual control over orders for the custody of children. It should be remembered that this Act will be put into operation by authorities acting locally, and it strikes me that many of them may take a narrow view of the meaning of the power to vary these orders. It may be a question as to what comes under the power of variation, and I think it would be far better to state definitely what we would have done. With all deference to the opinion of the Attorney General, I think the House would do well to accept the Amendment.

Question put, and negatived.

Amendment proposed, in Clause 11, page 6, line 35, after the word "not," to insert the words,

"The expression 'place of safety' includes a workhouse and any place certified by the local authority for the purposes of this Act."—*(The Attorney General.)*

*MR. TOMLINSON: I would suggest to the Attorney General, whether it would not be well to insert the words "suitable place for the detention of children," as being more definite than "for the purposes of this Act?" I apprehend that the expression "place of safety" only contemplates this object?

*SIR R. WEBSTER: I venture to think that "for the purposes of this Act" is the more appropriate form. I quite agree that the effect is to provide a place where a child can be suitably detained, having regard to the purposes of the Act. It will be the duty of the

Local Authority to certify that the place is suitable.

MR. KELLY: I think some difficulty may arise on this point as to what is a place of safety. I should like to know why, from beginning to end, the best places of safety should have been altogether ignored. I mean industrial schools, where, under proper control and training, children are taught to become useful citizens. In what institution could these children be better placed? From first to last there have been vague allusions to places of safety all over the country, but how are they provided? Who is to pay for them? How are they to be certified as safe? Are they to be conducted by people for profit? Do they now exist? It seems to me the most desirable places are industrial schools, such as we have all over the country. I do not know where the children would have better guardianship or instruction combined. Do not suppose I wish the children to be sent to reformatory schools, nothing of the kind; I would not have the least taint of crime attach to them; but I would give them the opportunity of starting upon useful careers. I venture to ask the Attorney General would he consent to introduce the words "industrial school" in his Amendment after "workhouse?"

*SIR R. WEBSTER: It is only by the indulgence of the House I can reply. I do not want to enter into the question of industrial schools. I would leave it to the Local Authority to determine the places, and whether it is or is not desirable to include industrial schools among them. Perhaps it would meet the case if we add the words "by bye-law under this Act," and I beg to move that addition.

Question proposed, to amend proposed Amendment by inserting after "certified," the words "by bye-law under this Act."

*MR. ISAACS (Newington, Walworth): I would at this point appeal to the right hon. Gentleman who has charge of the Bill to say whether the time has not arrived when he can afford us some information as to the institu-

Sir R. Webster

tions which, as he has given us to understand, exist all over the country where these children can be cared for and instructed? I agree with my hon. Friend the allusions to these institutions, up to the present, have been somewhat obscure. Can he give us some information as to the class of institutions to which the custody of children under this Act will be entrusted?

MR. MUNDELLA: It will be for the Local Authorities to certify that the places are suitable, and if they do not satisfy themselves as to the suitability of any other place, the workhouse is the resource. But I do not imagine they will find any difficulty, for it is well known there are very suitable and well-managed homes and refuges set up and maintained by private charity in all parts of the country.

THE UNDER SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. Stuart Wortley): There is an objection to the introduction of the words "Industrial school," because in conferring a new power of committal to these institutions, the question of Government grants and many other complications will arise with which I do not think we are now ready to deal.

Amendment to Amendment agreed to.

Amendment, as amended, agreed to.

Amendments proposed, Clause 11, page 6, leave out lines 41 and 42, and insert "Indictable Offences Act, 1848;" page 7, line 13, after "authority," insert—

"As regards any burgh in Scotland being either a royal burgh or a burgh returning or contributing to return a Member to Parliament, the town council, and as regards any country in Scotland exclusive of any such burgh, the Commissioners of Supply."—(*The Attorney General.*)

Amendment agreed to.

Amendments proposed, Clause 13, page 7, leave out lines 22, 23, and 24, and insert—"31 and 32 Vic. c. 122, Section 37 of 'The Poor Law Amendment Act, 1868,' is hereby repealed;" page 7, line 26, leave out "any," and insert "the;" page 7, line 29, leave out "any," and insert "the."—(*The Attorney General.*)

Amendments agreed to.

Amendment proposed, Clause 13, page 8, leave out the Schedule.—(*The Attorney General.*)

Amendment agreed to.

Bill ordered to be read the third time to-morrow.

INTERMEDIATE EDUCATION (WALES) BILL (No. 4).

Considered in Committee.

(In the Committee.)

Amendment proposed, Clause 2, page 1, line 11, to leave out the words "and the County of Monmouth."—(*Sir William Hart Dyke.*)

Question again proposed, "That the words 'and the County of Monmouth' stand part of the Clause."

*MR. SWETENHAM (Carnarvon, &c.): Since we discussed this matter last week I have had further opportunity of considering the question and of fortifying myself in the belief that the opinion I then expressed was the correct one. I hope also that the Government have availed themselves of the opportunity of considering whether the advice tendered to them is not such as they ought to accept. I cannot help thinking that if they would now withdraw from their position and assent to Monmouth being included it would go a long way towards smoothing the passage of this important Bill. I am quite certain, from the opportunity I have had of conferring with hon. Gentlemen opposite, that there is every disposition to be reasonable if only we arrive at a proper conclusion on this point. This disposed of, we could proceed at once to the consideration of the question of the Educational Council, and then all the other clauses will follow as a matter of course. I venture, therefore, to appeal again to the Government to give way on this point, and though late in the day we may make some progress, with the result that this useful measure will not be thrown over to another Session. I am afraid that if the right hon. Gentleman adheres to his Amendment another opportunity for full discussion may not present itself, and the Bill will be overthrown. We look forward most anxiously

to what will be said by the Vice President of the Council, and I hope he will be able to consent that Monmouth shall not be excluded.

SIR J. PULESTON (Devonport): I wish to join, as strongly as I possibly can, in the appeal of the hon. Gentleman. Monmouth is linked to Wales for educational purposes, especially in connection with the College for South Wales. As to the endowments to charities, they are being dealt with, if they have not already been dealt with, as I understand, in an entirely separate way. It is not an essential part of the Bill, and I hope the Government will give way upon it.

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): Mr. Courtney, I admit at once that I have had great difficulty in coming to a decision upon this point, and hon. Members would see the difficulties if they went closely into the subject. I admit that, so far as higher and elementary education are concerned, Monmouth is linked with Wales. Having made that admission, I am not prepared to relinquish any part of my argument on the last occasion. But there is one consideration which, on a practical matter of this kind, cannot be neglected, and that is the unanimous opinion on both sides of the House; and when I call to mind the appeals made by hon. Members behind me, who take great interest in Welsh education, I think it would be graceless in me were I to resist any further such an expression of unanimous feeling. Therefore I am prepared to relinquish this point as regards the inclusion of Monmouth. As regards the charities and endowments of Monmouth, the scheme of the Charity Commissioners is in a forward state; and I think it would be a very great pity if the first result of this Act was to pull to pieces the scheme built up by the Charity Commissioners with great care in connection with the Haberdashers' Company. I venture to submit to the Committee that these charities, or

the scheme so far as it has gone, should be safeguarded by this Bill, of course, allowing the right of appeal which is given in this measure. I hope hon. Members opposite will be mindful that I have made a very considerable concession, and that they on their part, remembering that this is an especially difficult matter to deal with, will be able to meet me in a correspondingly liberal spirit. I beg to withdraw my Amendment.

*MR. STUART RENDEL (Montgomeryshire): The Welsh Members on this side of the House thoroughly appreciate the spirit in which the hon. Member has dealt with this Amendment. We were taken by surprise when the proposal was made to interfere with the present order of things; at the same time, we are grateful to the right hon. Gentleman for the manner in which he has dealt with this particular point, and we accept his action as an augury of future progress in Committee upon this question. We also thank those of our friends and colleagues on the Government Benches who have assisted us in procuring the withdrawal of this Amendment, and I take their action in this matter as an evidence of their desire to set aside Party feeling in dealing with this important question; and we may hope that, notwithstanding the extraordinary difficulties of this subject, and the fact that there are not a few Amendments which if passed would render nugatory the Bill, with the assistance of our hon. Friends opposite we may, though at a late period of it, be able to effect legislation this Session.

Amendment, by leave, withdrawn.

Clause 2, as amended, agreed to.

Clause 3.

*SIR W. HART DYKE: I beg to move, Clause 3, line 1, leave out the words "County Council," and insert "Joint Education Committees, as hereinafter mentioned."

Amendment proposed, in page 1, line 14, to leave out the words "County Council," and insert the words "Joint

Mr. Swetenham

Education Committees as hereafter mentioned."—(*Sir William Hart Dyke*.)

Question proposed, "That the words 'County Council' stand part of the Clause."

*MR. STUART RENDEL: I gather that the Vice President is not disposed at present to state the reasons which have induced him to introduce this very important Amendment, which goes to the root of the whole machinery of the Bill. This Bill recommends the County Council as the initiating body, and you have in this Bill another body called the National Board to which nothing is superior, except the Privy Council itself. The proposal of the Government would wholly change the character of the initiating body concurrently with the extinction of the National Board. It may be possible for us to come to some compromise; but I think it is sufficiently obvious that we could not accept this Amendment. There are subsequent Amendments, to safeguard, I presume, vested interests. That object we think is already amply and sufficiently met. We urge that to deprive us of the independence and responsibility of local initiation, at the same time that we are deprived of anything like Welsh or national control, would be a fatal step in regard to the working of the Bill. We think it would be perfectly clear to the Committee, when it came to consider the machinery proposed by the Amendments, that it was an unworkable machinery. There will be several speakers on this Amendment from more than one point of view, and I should like, therefore, to have my observations reserved until the Vice President has stated the grounds on which this Amendment has been moved.

*SIR W. HART DYKE: What has really happened is this. I was very anxious to amend Clause 5, which I thought was not sufficiently explicit, and by inadvertence there have been taken off the Paper other Amendments which have been upon it for some time in my name, including one clause proposing that

"There shall be appointed in every county in Wales a joint Education Committee of the

County Council of such county, consisting of three persons nominated by the County Council, and three persons, being persons well acquainted with the conditions of Wales and the wants of the people, nominated by the Lord President of Her Majesty's Privy Council."

I admit that this is a very important question, but as we have endeavoured to frame the Amendment both the County Council and the Government will be represented, and we say the Government ought to be represented on account of the grant. It should be remembered that we also propose under the Bill that the Commissioners should appoint assistant Commissioners to attend to local inquiries and deal with local schemes; and in that way it is hoped to meet the objection that the Commissioners may not be sufficiently acquainted with the wants of Wales. I hope the proposals will bear the test of further discussion.

MR. RATHBONE (Carnarvonshire, Arfon): I would point out to the Government that the scheme contained in the Bill is not one ensuring to the Welsh Representatives what they desire should be the future position of this question. The Government have every possible security they can desire, not only as regards the Charity Commissioners, but also in respect to the vote of this House, where they have a large majority; but if the Bill stood as it is proposed to be amended by the right hon. Gentleman, the people of Wales would have no security whatever that schemes entirely different from what they deem to be right may not be passed. The County Councils are to be merely initiative bodies, whereas a strong representation of the progressive and promotive power of the Welsh people ought to be given, and unless they can have a majority in the Joint Committees they will have no power whatever to prevent the passing of obnoxious schemes. All the progressive and promotive power will otherwise be on one side, and the people will have none. I would, therefore, urge on the Government that, for the sake both of education and of justice, they should give a distinct preponderance to the elective element on the Joint Committees, so as to admit of education being pushed forward in

know we would furnish promptly to the newspapers; and that we will continue to do. I regret, just as much as the hon. Member for Hanley, the necessity for sending British troops up the river at this season. It is a lamentable thing, and I am afraid I am not in a position to say what is the condition of the huts and other appliances. I reserve any exact statement of what we intend to do.

MR. WOODALL: The right hon. Gentleman will doubtless make inquiries, and inform the House on this point when he makes his statement.

MR. STANHOPE: I will give the House all the information I can on the subject.

MR. PICTON (Leicester): Will the right hon. Gentleman kindly notice that portion of the hon. Baronet's remarks as to the manner in which these warlike operations are being carried on. We have heard of certain barbarous modes of slaughtering these people. We are told they are being kept away from the water and thus being driven to a cruel death. We are also told that the crops in the district are being destroyed. We have been informed that this mode of warfare is considered unlawful even among comparatively savage tribes. I wish to have some information on this subject, because the honour of the nation is at stake.

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.E.): I have to remind the House that it is open to these dervishes to return to the place from whence they came. If they persist in attempting to overrun Egypt, it is necessary that we should resist invasion by any means in our power, by removing the means of subsistence in advance of them, or in any other way. I should like to tell the House what the dervishes do. In the month of May they seized a port on the Red Sea, and they massacred every man, woman, and child in the place. In pressing forward they are forcing the villagers on their route into their service, and pushing them to

Mr. E. Stanhope

the front to bear the brunt of the attack. They are enemies of the human race, and it is our plain duty to offer assistance to the Government of Egypt in resisting their attack, and in protecting the peaceable people of Egypt from its consequences. Those who are responsible must use all the means in their power for that purpose.

MR. JOHN E. ELLIS (Notts, Rushcliffe): The right hon. Gentleman has used some words, "any means in our power," which have, I think, surprised the greater number of his hearers. I am not familiar with the operations of warfare; but I certainly did understand that now-a-days civilized warfare had its rules and regulations, and for the Under Secretary for Foreign Affairs to get up in the House of Commons and tell us we are entitled to stop these men by any means in our power seems most extraordinary. I also wish to add my protest against the House of Commons being referred to the newspapers for information. It is entirely unprecedented for the Minister for War, who is bound to give the House accurate and full information as to the manner in which military operations are being carried on, to take this course, and I hope it is the last time we shall have this done.

MR. E. STANHOPE: It was only to expedite the circulation of information to hon. Members and the public that I offered to communicate items from Government telegrams to the newspapers rather than keep them back until I had the opportunity of reading them in the House. When my right hon. Friend spoke of our resisting invasion by any means in our power he only alluded to any means that are ordinarily recognised as being within civilized warfare.

SIR W. LAWSON: I will ask a question to-morrow as to the condition of our forces on the Nile.

House adjourned at ten minutes
before Six o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 2.]

SIXTH VOLUME OF SESSION 1889.

[JULY 19.]

HOUSE OF LORDS,

Thursday, 11th July, 1889.

BELGRANO (BUENOS AYRES) GAS COMPANY BILL.

Order of the Day for the Second Reading read.

LORD HERSCHELL: My Lords, this is a Bill to enable alterations to be made in the Memorandum of Association of the Belgrano (Buenos Ayres) Gas Company. It was a Company formed, as its name implies, to supply gas to the town of Belgrano in Buenos Ayres; and the Company desire by this Bill so to alter their Memorandum of Association as to enable them to supply electric light as well as gas. My Lords, my noble Friend the Chairman of Committees thought that, under the circumstances, there were objections to such a Bill, and that I ought not to move it as a matter of form. I may say, my Lords, I entirely concur in that view; and when after his refusal the matter was brought before me, and I was asked to undertake to move the Bill, I said I certainly could not do so under the circumstances which then existed, because all that appeared then was that a large majority of the shareholders supported the Bill, and desired to have this alteration made in the Memorandum of Association. It appeared to me, my Lords, that that was not sufficient, and that considering that the Memorandum of Association is the basis of the Company, determining the undertaking which is to be carried on by the Company, no mere majority of the shareholders should merely, because they were a

majority, have the right to alter the Memorandum of Association which is the Charter of the Company settling its rights and its powers, so as to enable a new undertaking to be entered upon which might be distasteful to a minority, even an inconsiderable minority, of the shareholders. But, my Lords, under the special circumstances of this case, it appeared to me that, practically the whole of the shareholders assenting to the alteration of this Memorandum of Association, my difficulty would be removed. In consequence of that, inquiries have since been instituted by those who have charge of the Bill, and the result showed that that is the case—that practically the whole of the shareholders assent to the alteration. There are 220 shareholders holding 14,000 shares. That is the total number of shareholders and shares in the Company. Of those, 220 shareholders, 218, representing 13,964 shares, have expressed their approval, leaving only two shareholders unaccounted for. One of those two shareholders, representing 14 shares, has lately died, and that leaves really only one shareholder unaccounted for. That shareholder has been abroad, and has only just returned to England, and there has consequently been no opportunity of obtaining his assent. So that, my Lords, substantially, we may take it that the whole of the shareholders in this Company desire this alteration in the Memorandum of Association, and desire that this power should be conferred upon the Company of entering upon this new branch of business as part of their undertaking. My Lords, the circumstances of the case are somewhat peculiar. In an ordinary case it might be said it is unnecessary to apply for an amendment of the Memorandum

of Association, because the existing Company can be dissolved, and a new Company formed; and there are cases in which I should have thought that would be the proper course to be pursued. But in the present case the Company has certain concessions from Foreign Governments, and I am assured that if that course were adopted, of dissolving the existing Company and forming a new Company, difficulties would be likely to arise which would not, perhaps, be very intelligible to the Foreign Governments by whom the concessions were granted, and the result of doing so might, therefore, be disastrous to the Company. The alteration is one which will enable a business to be carried on which is cognate to that now being carried on for the purpose of lighting a certain district, a new method of lighting having come into vogue since the Company was formed. Under all these circumstances, it seems to me that I may safely and properly ask your Lordships to read this Bill a second time, and there would be no danger of its creating a precedent which might prove inconvenient hereafter. There are, indeed, precedents for altering by Acts of Parliament Memorandums of Association; but I do not go into them now. Some of them might be said to be stronger cases than that which I am bringing before your Lordships' notice. Those Acts may have passed from want of proper precaution and care being taken when the matter was brought before Parliament. I am satisfied, my Lords, to rest the present case upon its own circumstances; and I am satisfied that there will be, under the circumstances, no danger of creating an inconvenient precedent in asking your Lordships to give your assent to the Second Reading of this Bill.

'Moved, "That the Bill be now read 2^d."
—(*The Lord Herschell*.)

*THE EARL OF MORLEY: My Lords, I merely wish to say a few words in explanation of the position which I have taken up with regard to this Bill, and which has been correctly stated by my noble and learned Friend. This Bill, as my noble and learned Friend has stated, is to enable a Company, which is registered under the Joint Stock Companies' Act, to alter its Memorandum of Association. I need not point out to your

Lordships the great importance of a Memorandum of Association as being the Charter of a Company, and the great danger of altering the terms of that Memorandum of Association. My noble and learned Friend has said there are precedents for changes being made by special Acts of Parliament in Memorandums of Association of Joint Stock Companies. My Lords, that is perfectly true; there are many instances of such Acts of Parliament being passed, but they were all justified either by special circumstances over which the Company concerned had no control; or, secondly, by the requirements of concessions from Foreign Governments; or, thirdly, in order to clear up any doubts which might be entertained with regard to the construction of the Memorandum of Association. On the other hand, I may mention that many Bills for altering Memorandums of Association have been refused. I will give your Lordships an instance last Session of the United States and South American Investment Company, the powers of which were limited to America. That Company applied to have its powers extended to this country, and that Bill was refused. Then there was also the case of the *Compagnie Générale des Asphaltes* which, being a Foreign Company, also applied to have its powers extended to the United Kingdom, and that Bill again was refused by my Predecessor in Office. There was also the case of another Bill of a very similar character to the Bill now before the House in reference to a Company called the Tuscan Gas Company. That Company, precisely as in the present case, had powers for lighting a certain district by gas. My Predecessor refused the application of the Company in general terms, but they were allowed to light by electricity places where they could be forced by the Government, or by the Municipality, to supply electric light, the reason being that if they had not been allowed to do so they would have lost their concession. There was another case of the Telegraph Construction Company in 1853. I have looked at that Bill, and it is not a case at all parallel with the one before the House. It is merely as to the construction of the terms of the Memorandum of Association; and the Bill was for the purpose of clearing up doubts as to what the Company's powers were and

Lord Herschell

what they were not. My Lords, I referred just now to the danger of touching any Memorandum of Association of a Company, though, no doubt, a case might, under special circumstances, be made out for doing so. But I cannot see that this Company has made out any such special case. It is, no doubt, the fact that electric lighting has become more general since the formation of the Company five years ago; and the result appears to be, I am sorry to say, that the profits of the Company are diminishing; but it is not enough to show that, in consequence of the introduction of the electric light, the profits of the Company have been diminished. The noble and learned Lord says that the consent of all the shareholders has been obtained; and I admit at once that that is a great argument in favour of the Bill. There are, indeed, only two shareholders who have not assented, and their absence has been accounted for. But I would ask the House whether that gets over all the difficulties of the case? It seems to me to be a somewhat novel principle that Parliament should be called upon to legislate simply upon the requisition and by the consent of all the parties concerned in the particular Company whose interests it is desired to protect by legislation. My Lords, if that principle is admitted, is there not a danger that you will get beyond the simple position of universal consent by the shareholders, and that in the future you may be asked to consent to powers being given upon the wish of a majority? But, my Lords, there is besides another point to be considered. I am now speaking of this case simply as a precedent for future legislation, and not merely in reference to this particular Company. There are other parties interested besides the shareholders; there may be mortgagees, or other creditors, who are interested in the Memorandum of Association being maintained. There may be other circumstances existing which would require to be considered. I am told, my Lords, that in this particular case there is already an Electric Lighting Company established at Belgrano, which may have been started on the ground that this Gas Company has no power to supply electric light. I admit, my Lords, that the present case is somewhat exceptional; but I confess that I

should not recommend the adoption by your Lordships of a measure which may be considered to some extent a precedent. We may have Bills introduced where the circumstances require that such an alteration should be made as is here proposed; but this appears to me to be a new precedent entirely, and I am afraid there are not sufficient grounds existing to justify it, or grounds which would be satisfactory to your Lordships' House. My Lords, I have explained the particular circumstances which, in my opinion, rendered it impossible for me to take the responsibility of moving the Second Reading of the Bill in this case, as in that event it would have come before your Lordships in the ordinary course without any remark being made upon it. However, the noble and learned Lord has moved the Second Reading, and I leave it entirely to the House to state the course which is to be pursued in regard to it. But, as I have said, there have been precedents for passing such a Bill altering a Memorandum of Association, and it only remains for your Lordships to express your opinion upon it.

THE EARL OF CRAWFORD: My Lords, I may say that I have no interest in this Company; but I have inquired into the circumstances of the case, and must support the Second Reading. The noble Lord has stated, in his remarks, that no special case has been made out by the Company. At the time the Company was constituted under the Companies' Act (1862) no question existed of this kind as to the possibility of using electricity for lighting any large or considerable area. As soon as the possibility arose of the electric light being utilized in that way, there was immediately a demand for it. The noble Lord is perfectly correct in saying that, so far, the Gas Company has not been called upon to supply electricity—if that had been the case the House might probably have thought that was a ground for granting the Second Reading; but although that is not the case the Gas Company has been put in the position of being very considerably cut down in its receipts. The noble and learned Lord has also said there is another Electric Lighting Company in existence at Belgrano. I have made inquiries into the matter, and I find there is already one

Company established there which is in a very strong position. Arrangements have been made with the Gas Company which I think are desirable for both Companies and also in the interests of the public; because it seems they have arranged to supply electricity in bulk to the Gas Company for the purpose of being delivered to the Gas Company's consumers. I think, my Lords, it is very desirable in the interests of both Companies, and also of the public, that your Lordships should accede to the Bill being read a second time.

THE LORD CHANCELLOR: My Lords, I cannot help thinking that no satisfactory reply has been given to the difficulties and objections which the noble Lord the Chairman of Committees has felt upon this subject. If the Bill were passed it might place a burden upon him which, I think, it is not fair to place upon him. What is the case before the House? The case is simply this. It has been shown by the noble Lords who have spoken that this Company desires to enter upon a new business. But what is to be the answer, in this and other cases, of my noble Friend the Chairman of Committees when a request of this kind is made to allow Companies to embark in a different business to that in which they started? What rule, what line, is he to adopt? My Lords, I cannot say that I have heard anything to justify a departure in this case from the ordinary rule, or that anything really has been alleged for it, except this—that, as a commercial matter, this being a commercial undertaking, it is more profitable to this Company to extend its powers. That is very wide. I do not know how far we shall have to go if once that principle is adopted, or how the Chairman of Committees is to act. It is said that this is a Bill asking for a power of a cognate character; and in one sense that is no doubt correct, as it is for lighting purposes; but I cannot say that that is a justification for so important a change in this case. I cannot help thinking that your Lordships should require very strong grounds to be shown before you pass the Second Reading.

***LORD FITZGERALD:** My Lords, I have no personal interest whatever in this Company, and I know nothing of it beyond what I have read in the Papers, which I received this morning, and which

I believe to have been generally distributed. There can be no doubt what the object of the Company is. This Memorandum speaks of lighting by gas, and the alteration proposed is to enable the Company partially to use lighting by electricity. It is said there is another means of doing this. What is it? By the liquidation and winding-up of this Company, and the formation of a new one with a new Memorandum of Association. The legal consequences of that would be very important to this Company, and very costly, and would possibly be disastrous to it. They say that, in order to carry on their business, they must provide lighting by electricity, and that otherwise they will lose the benefits of their concession. It is not only the Company and its shareholders that are interested in this matter, but the local public; and it is to the interest of everybody concerned that the object of the Company should be carried out. No one objects. There are no creditors, and the shareholders as a body desire the alteration. The noble and learned Lord has pointed out that the Company will be enabled to go on by allowing its Memorandum of Association to be extended in this way. In doing so you violate no principle, and I therefore support the Second Reading.

LORD HERSCHELL: My Lords, I will only say in reply that the Chairman of Committees in the House of Commons has thought that this was a matter which should be brought forward. If any general rule is to be laid down, it is very desirable that there should be a common understanding between both Houses as to what course should be pursued with regard to these Bills. It is very undesirable that one rule should be followed in the House of Commons and another in this House. At the same time, I may say I am not sure that I can see any great distinction between a private Act of Parliament altering the terms of a Memorandum of Association and a private Act of Parliament altering the constitution of a Company. I confess I do not see any real distinction between the two, and the latter is of everyday occurrence.

On Question, their Lordships divided :
—Contents 23; Not-Contents 44.

Resolved in the negative.

CHELTENHAM IMPROVEMENT BILL.

Moved, That the Order made on the 5th day of March last—

"That no private Bill brought from the House of Commons shall be read a second time after Friday, the 21st day of June next,"

be dispensed with, and that the Bill be read 2^a.—(*The Earl of Wemyss*.)

LORD DENMAN: My Lords, I oppose the Motion on the ground that Bills should not be hurried through the House. I must protest against business being done in a hurried manner. A noble Lord opposite has said that at the end of the Session it is perfectly impossible for any opposition to properly check the progress of measures, and he said, at the same time, he wished some Resolution could have been adopted on the subject. I know that other noble Lords have complained of the same thing, and the difficulties are increasing. On one occasion a Bill was carried in a single day, and though I opposed it, my speech would not have been reported if the reporters had not sent down to me to know what I said.

Motion agreed to.

Bill read 2^a accordingly, and committed.

INDUSTRIAL SCHOOLS BILL. (No. 154.)

Reported from the Standing Committee for Bills relating to Law, &c., with Amendments: the Report thereof received; and Bill re-committed to a Committee of the Whole House.

MARRIAGES (BASUTOLAND, &c.) BILL. (No. 155.)

A Bill to remove doubts as to the validity of certain marriages solemnized in Basutoland and in British Bechuanaland; and

WINDWARD ISLANDS APPEAL COURT BILL. (No. 156.)

A Bill to provide for modifying the constitution of the Court of Appeal for the Windward Islands—were presented by the Lord Knutsford; read 1^a; to be printed; and to be read 2^a on Thursday next.

TRAMWAYS PROVISIONAL ORDERS (No. 1) BILL.

***LORD BALFOUR:** My Lords, I have to move—

"That the Order made on the 5th day of March last, 'That no Bill brought from the

House of Commons confirming any Provisional Order or Provisional Certificate shall be read a second time after Friday the 23th day of June next,' be dispensed with, and that the Bill be read 2^a."

All the requirements of the Tramways Act, 1870, which have to be complied with before a Provisional Order can be introduced into the House of Commons, were complied with in this case, and the Bill was introduced into the other House of Parliament on the 17th May. On one single Order it was opposed, but it did not come before the Committee until the 27th June, that is a month and 10 days after the Bill first came before Parliament. The Committee reported in favour of the Order; but the delay which occurred before the Committee was appointed has made it impossible for us to comply with the Standing Orders and Sessional Orders in regard to this Bill. I hope, therefore, your Lordships will on this occasion suspend the Standing Orders.

Motion agreed to.

Bill read 2^a accordingly; and committed to a Committee of the Whole House to-morrow.

WINCHESTER BURGESSES (DISQUALIFICATION REMOVAL) BILL.

***LORD BASING:** My Lords, in moving the Second Reading of this Bill, I have only to say that the object of the Bill is to remove a disqualification from certain persons who, though they pay borough rates and are included in the borough, are disqualified from voting as burgesses. When the city was laid out in wards a piece of land was left out, which has since been built upon, and the Bill proposes to attach it to St. John's Ward.

Bill read 2^a (according to Order), and committed to the Standing Committee for Bills relating to Law, &c.

BOARD OF AGRICULTURE BILL. (No. 125.)

Order of the Day for the Second Reading read.

***VISCOUNT ORANBROOK:** My Lords, I have to ask your Lordships for the Second Reading of this Bill, which has passed without opposition in the House of Commons. The movement in favour of a Minister of Agriculture took its origin in a Resolution carried some years ago in the House of Commons, on the Motion

of Mr. Sampson Lloyd, by which it was resolved that it was extremely desirable a Department should be created for Agriculture and Trade. In 1881, the Motion of Sir M. Lopes for the same object was accepted by the then Government, and in order to give effect to that Resolution, the Committee of Agriculture, which now exists, was in 1883 appointed. The Chancellor of the Duchy of Lancaster was made Vice President of that Committee, and has so continued; but since my noble Friend who holds that office became Duke of Rutland, the duties which had to be discharged in the House of Commons were undertaken by Lord Lewisham, who has since acted for the Department. My Lords, I have heard some remarks made with respect to the Committee so appointed in 1883, and by the present Government both in 1885 and 1886. That Committee has been by no means a nominal one, for it has frequently been called together to consider very important matters. The President is, of course, responsible for everything that is done, and it was not for the purpose of relieving him from that responsibility that the Committee has been on several occasions called together; but the Committee is composed of those who know the wants of the country in connection with agricultural subjects. It has also been of service in regard to the distribution of the money last year assigned to the Department for dairy and agricultural schools. My Lords, I should not be moving this Bill if I thought in doing so I should be understood as condemning the present system. So far as the Veterinary Department of the Privy Council is concerned, I am quite aware that that Department has been approved by all parties and classes in the country. It has done its duty very effectually. Under that Department cattle plague and foot-and-mouth disease have been effectually stamped out; and, with regard to pleuro-pneumonia, although it is a much more insidious and difficult disease to deal with, it has been taken in hand with the best powers of the Department, and I hope that, whoever may be the new Minister of Agriculture, he may be as triumphant over that disease as his predecessors have been in dealing with the enemies of agriculture I have alluded to. The Veterinary

Department has been served by officers who are recognized not only officially, but in the agricultural world as men of singular capacity, activity, and energy, and the country is indebted to them for the ability with which, when disease appears, they use their best endeavours to stamp it out. It is only just to mention Professor Brown, Mr. Cope, and Major Tennant; but indeed I may say generally that the staff of the Veterinary Department has been all that could be desired. The Statistical Department was transferred from the Board of Trade, and I think I may say that those conversant with those matters will admit that the statistics which have been drawn up in the Privy Council Office have been of a character which deserves the approbation of all those interested in them, and, at the same time, they have been brought out so promptly as to be of the greatest use to the farming interest of the country. That, of course, will go on. The great duties discharged by the Agricultural Departments of foreign countries, at enormous expense, have been carried out in England mainly by the voluntary action of the Agricultural Societies of this country; and I do not believe that this country would be ready to vote an establishment on the large scale adopted in other countries for the Department now to be created. However, the determination of the agriculturists to have a Department entirely to themselves has been sufficiently made manifest, and I am the last person to stand in the way of their receiving the most thorough attention to their wants. Having regard to the difficulties and troubles they have had to encounter in recent years, I do not wonder that they stretch out their hands in all directions for assistance, and that they may look to a new Board of Agriculture to give them more advantages than they have hitherto had. With regard to schools of agriculture, a grant of £5,000 was made last year for distribution by the Privy Council, and that grant has resulted in a number of agricultural and dairy schools springing up in England, Wales, and Scotland that are doing useful work, and give us reason to hope that the want of these institutions, hitherto felt in this country, will be supplied without any great drain upon the Treasury. My Lords, I have very little more to say.

Viscount Cranbrook

The Bill, which is a short Bill, speaks for itself. It hands over the work hitherto done by the Privy Council in respect of all questions connected with contagious diseases and agriculture; it hands over the work of the Land Commission, with its officers, to the new Board, and also that of the Ordnance Survey, and it will likewise take charge of agricultural statistics and matters relating to forestry and horticulture, as well as the inspection of agricultural and dairy schools. I hope the Bill will be passed without undue delay, because uncertainties and difficulties naturally occur when a Department has, so to speak, a new one hanging over it, and I hope the Treasury will adequately provide for it, and that it may be put in a position to get to work speedily, when I think there can be no doubt it will do work of a satisfactory kind. I submit the Bill to your Lordships for Second Reading.

Moved, "That the Bill be now read 2^d."—(*The Viscount Cranbrook*.)

*THE DUKE OF RICHMOND: My Lords, I have listened with great attention to everything that my noble Friend has said. His speech was very much what I anticipated it would be; he eulogized the Agricultural Department; he told us that the Veterinary Department was as good as could be; he alluded to the statistics; and he told us he was far from condemning the present system. Judging from the remarks of the Lord President of the Council, I imagined that he would have concluded by asking your Lordships to read the Bill a second time this day six months. My Lords, I claim as strong an interest and to be as greatly connected with agriculture as any person in the country. I enjoy the confidence and the friendship of numerous farmers, and I can assure your Lordships that nothing would be further from my wishes than to do anything which would, in my opinion, be hostile or adverse to the agricultural interest. It is, however, because I think that this measure is unnecessary and mischievous that I now lift up my voice against it. I am afraid that I cannot ask your Lordships to reject it, because the Bill having passed the other House without a Division, I do not think it probable that your Lordships would by a majority reject it. The

measure is unnecessary, because there is nothing provided for in it which is not performed at the present time by the Agricultural Department, presided over by the Lord President. I think it is mischievous, because to my mind it will raise hopes in the minds of the agriculturists of the country which can never be realized. Agriculturists may be led to believe that the mere fact of setting up an Agricultural Department will conduce to their welfare and put an end to that state of depression which has been passing for so many years over the country. In this belief they would be utterly disappointed, and it is on that ground that I consider the measure a mischievous one. The First Lord of the Treasury, in moving the Second Reading of the Bill, said—

"Having regard to the present condition of affairs, the competition which existed, the reduction of prices which has prevailed during the last few years, resulting perhaps in a greater dislocation of employment in the agricultural industry than in any other industry, and having regard also to the fact that in many parts of the country land has been thrown out of cultivation and that those who have been dependent upon it as owners, and cultivators, and employers have suffered most severely, the Government cannot but admit that there exists very considerable ground for the demand which is made by the agricultural classes for the constitution of a department which would make the interests of agriculture its special and peculiar charge. This is not a personal, individual, or sectional question. It is an Imperial question. It is clearly to the interests of the country that the land should be made productive to its utmost capacity, and should be made to contribute to the prosperity of the country as far as possible."

Now, my Lords, I want to know, with regard to competition, which is one of the points referred to, what is there in this Bill which will enable us to meet competition? It does not propose to resuscitate our old friend Protection, though I, for one, should not object to that. Then it is said that parts of the country have been thrown out of cultivation. I do not see how anything that can be done under this new Bill can bring into cultivation any part of the country that is now out of cultivation. He talks about there being a greater dislocation of employment in the agricultural industry than in any other industry. What is this Bill going to do to remedy that? It seems to be—well, I will not say what I think of it. Then he says—

"The Bill is an effort to establish a department which will, I hope, be exceedingly useful to the agricultural community. No doubt a great strain has been put upon those who are interested in land during the last few years. Prices have fallen; there has been an absence of profit in almost every important portion of the farmer's industry, and now we have to endeavour by all the means in our power to bring back prosperity to that portion of Her Majesty's subjects, not by any action of Parliament, not by the fostering care of a department, but by bringing home to them that knowledge and power by which they themselves may work out their own deliverance."

How in the name of wonder the passing of this Bill, which is really only transferring these matters to a new Department, is to bring all that about passes my comprehension. I hope that in the course of time all that may be worked out, but at the present time I confess I do not see how it is to be done. I ask again, my Lords, what is there in this Bill which would enable agriculturists to meet competition? As to the parts of the country thrown out of cultivation, how can anything in this Bill bring back to a state of cultivation lands that have gone out of cultivation? Then, again, what is the Bill going to do in order to remedy the dislocation of employment in the agricultural industry? It has been urged that the Bill will be useful to the agricultural community, and that there is an absence of profit in the agricultural industry. I agree with the First Lord of the Treasury in this, and I should like to see that condition of affairs altered; but this Bill will not do it. How this Bill is to bring home to agriculturists that knowledge and power by which they are to work out their own deliverance I absolutely fail to comprehend, seeing that it only provides for the transfer of the present duties of the Department to another Board. Now, my Lords, I take the Bill itself. The whole of the Bill is contained in the second clause, which declares three things—first of all, the powers and duties of the Board of Agriculture; secondly, the powers and duties of the Land Commissioners; and, thirdly, the powers and duties of the Land Survey, are to be transferred to the new Department. It is quite beyond my comprehension to see what benefit will accrue to agriculturists by mere transference of the duties of the existing Department to another Department located in a different place. I am also astonished to find

that one of the most important agricultural countries—Ireland—has not been included in the Bill, but that it is, on the contrary, to be left to the administration of the present Irish Privy Council. I will quote statistics to show how the Veterinary Department has dealt with outbreaks of foot-and-mouth disease and cattle plague. I should like to give your Lordships a sample of the existing state of things. In 1871 there were 52,164 fresh cases of outbreak of foot-and-mouth disease, 691,565 animals being attacked. The United Kingdom has now been free from foot-and-mouth disease for some years. No cattle plague has been imported since the passing of the Act of 1878. As to pleuro-pneumonia, I can show your Lordships that in 1877, the year before the passing of the Act, there were 2,108 farms returned as infected and 5,330 animals attacked. In 1888 there were only 513 farms returned as infected, with 1,843 animals attacked. If the Government would spend only one-half of the money which they intended to spend on the creation of this new Department in taking proper measures they could stamp out pleuro-pneumonia altogether. It must be admitted that the present Department does its work in an admirable manner, and we should hardly be able to find its equal in any other country in the world. In the year 1888 no fewer than 63 different abstracts were compiled by Mr. Whitehead and published by the Agricultural Department. Mr. Whitehead has also published elaborate essays on the subject of moths, flies, and beetles affecting agriculture. That has all been done now, and I doubt whether, under the new system, we should get much more information. I am astonished at the ignorance displayed on this subject. I have heard it said, for instance, that it is perfectly monstrous that a country like this, where agriculture is such an important interest, should not have an Agricultural Department as France has. But we have a Department of Agriculture, although our system is different, because in France everything is done by the Government. Even the expense of shows is borne there by the Government. But in the case of a show, such as that recently held at Windsor, every penny of expenditure comes from voluntary contributions. Those who complain

The Duke of Richmond

that we have not an Agricultural Department like that existing in France, do not know probably that that Department cost France £1,600,000 last year, and the Chancellor of the Exchequer would, I think, make a very wry face if he were told that he would have to find anything like that amount of money to maintain agriculture in this country. I have heard that the new Minister would be able to stamp out disease; but I cannot imagine how the Minister could do more in that respect than is done now, for he certainly could not go outside the Act of Parliament. My Lords, I have only a very few words more to say; but there is one thing which I must mention. The argument which seems to have weighed most with my noble Friend the Prime Minister was addressed to him by a deputation which waited upon him a few months ago. The deputation suggested to him that there should be a Board of Agriculture. There were several speeches made, and my noble Friend at the end of the meeting stated his views to the deputation. I cannot help believing he must have been thinking of some great diplomatic matter which was weighing upon his mind, or he would not have answered the deputation in the way he did. He said that every advantage to be derived from organisation and concentration of effort should be given by the Government, and that it appeared to him that the arguments in favour of the formation of an Agricultural Department were unanswerable, and that those were the views which Government had for two or three years adopted. I looked to see what the arguments were which my noble Friend considered unanswerable; and I found that in 1865 it was stated that there was the most deplorable chaos in the Public Departments with regard to agricultural affairs. A deputation attempted to approach the Government on the subject of cattle plague which was then ravaging the country, they applied to the then Prime Minister. Lord John Russell told them that he knew nothing at all about the question, and as it had very likely something to do with money he referred them to the Chancellor of the Exchequer, Mr. Gladstone. They all took fright at the proposition. Next they went to the Board of Trade, who said they were not an Agricultural Department, and when the question was

put where there was one, the reply was that the only one was the Woods and Forests. That was regarded as a very dubious suggestion. Finally they interviewed the then Home Secretary, who heard what they had to say, and they asked him to pass an order for the compulsory stoppage of the sale and transit of animals. Therefore, the argument which weighed with my noble Friend was that in 1865 a gentleman, who had suffered loss by the cattle plague, came to London with a deputation. He endeavoured to obtain an interview with Lord John Russell, who declined to have anything whatever to say to him, and he went back to his country seat; he returned in 1889, and what had happened in 1865 is given as an argument why a new Department should be now instituted. At the end of the meeting my noble Friend stated his views. He said—

“Every advantage to be derived from organization and concentration of effort should be given to you by the Government under which you live. For those reasons it seems to me that the argument in favour of the establishment of an Agricultural Department is unanswerable, and you have only been repeating and illustrating with fresher details the views which Her Majesty's Government have been induced now for two or three years to adopt.”

I am surprised that my noble Friend should have been at all moved by what that deputation told him. Whatever might have been the circumstances existing in 1865 as a reason for this certainly do not, as I have shown, exist in 1889. I do not, however, propose to go to a Division. I trust the measure may do good to the agricultural body. I do not think it will, and I fear they will be very much disappointed; but, at any rate, I hope it will do no harm.

*EARL SPENCER: My Lords, although I cannot for a moment assume to hold the position in the agricultural world which my noble Friend has, I think I am entitled to say a few words upon this subject for two reasons—first, that I have filled the post of Lord President of the Council; and, secondly, that I was a member of the Government which made a very considerable change with regard to the management of the Veterinary Department. I venture to think the noble Viscount the Lord President of the Council made a slip in his statement as to the time when the Committee of Agriculture was appointed.

made, Western Australia will be placed upon the same Constitutional footing as the other great colonies of Australia. The present Constitution is, as I have said, a representative Government, and consists of a Governor, an Executive Council, and a Legislative Council, 26 in number, nine of whom are nominated and 17 elected. This system is an intermediate stage between the Government which obtains in a Crown colony pure and simple, and responsible Government. In a Crown colony pure and simple the Crown is responsible for the Government of the colony; but it has a majority by which it can secure the passing of such measures as are necessary for the good Government of the colony. On the other hand, in a colony under a responsible Government the Ministers are responsible to the people, and command a majority in the Colonial Parliament. The disadvantage of the intermediate stage of representative Government is that the Crown remains largely responsible for the Government of the colony, but it cannot command a majority. The system places an insuperable power of obstructing and delaying measures in the hands of the Colonial Legislature, which is not responsible for the conduct of affairs. That system may work smoothly enough in smaller colonies and in quiet times; but when burning questions arise, and there are matters of difference between the Executive and Legislature, it leads to complications, and a considerable amount of friction. For this reason it is admitted by those who have had the control of colonial affairs that that system is suitable only for an intermediate stage; and that when a colony is fit for responsible Government the sooner it is given the better. This view is strongly confirmed by what has passed in Western Australia. A representative Government was granted to Western Australia in 1870, and in 1873, only three years later, a movement was made in favour of responsible Government, and the noble Earl opposite (the Earl of Kimberley), who was then Secretary for the Colonies, replied that, while the Governor himself ought not to take any steps towards disturbing the existing arrangements, Her Majesty's Government would not be disposed to resist any widespread and sustained desire which might prevail in the colony for

responsible Government. In 1874 the Governor, at the request of the Council, sent over a draft Constitution Bill; but the noble Earl (the Earl of Carnarvon), then Secretary for the Colonies, rightly decided that the colony was not ripe for the change. There is one passage in his despatch of November 18 which, as it has a direct and important bearing on the case, I will read to your Lordships. Lord Carnarvon wrote—

"I am and can be actuated by no feeling of indisposition towards those principles of responsible Government which have had full play elsewhere on the Australian Continent, and have reproduced the free institutions of the Mother Country in no unworthy form. Those institutions are the proper and desirable end to which the colony tends, at which it must in time arrive, and towards which all those, whether there or at home, who are concerned in the administration of its affairs, ought to direct their measures."

These latter words confirm the view that Representative Government is merely transitional, and express very clearly and concisely the manner in which those who seek for Responsible Government should be approached by the Home Government. I pass on, my Lords, from 1874 to 1883 with only one observation, that the subject of a change to Responsible Government did not make much progress, though from time to time it was revived in the colony. The correspondence in 1883 and up to the present time will be found in the Parliamentary Papers, C. 5743 and C. 5752, and I need only refer very briefly to one or two stages in the case. In 1883 an Address was sent to this country by the Legislative Council asking on what terms Responsible Government would be granted, and Lord Derby, then Secretary of State for Colonial Affairs, wrote a carefully-worded despatch of July 13, 1883, which certainly deserves very careful consideration, as setting out the views of Her Majesty's Government, but which I shall not at present refer to further, though I shall have occasion later on to refer to one passage in it, which bears upon the land question. It is to be found in page 3 of the Parliamentary Papers which have been recently presented to Parliament. In 1884 the present Governor, Sir F. Napier Broome, after he had been 10 months in the colony, reported his opinion on the state of things as follows:—

Lord Knutsford

"Though I see no valid reason for withholding free institutions from this colony after its inhabitants shall have expressed a general and decided wish to take upon themselves the burden and the responsibility of that form of Government, I am strongly of opinion that, until such a wish shall have been expressed, which certainly it has not been as yet, it would be a mistake to make this great and irretrievable change. Furthermore, while I concede that the colony has reached a stage at which a claim to its birthright, if deliberately insisted upon, should not be refused, I nevertheless think that Western Australia would do well to delay its majority for a time until its wealth and population shall have still further increased, and until (what is hardly the case as yet) the community contains within itself a good ballast weight of public opinion and a sufficient complement of qualified public men to govern on the Party system."

He also considered at that time that Western Australia, if the change were made, should be separated into two parts, and that the Northern portion above the 26th degree of latitude should remain for the present a Crown colony. Upon both these points, however, after he had more experience of the working of the Constitution, and after he had ascertained more fully the wishes of the Legislature and of the people, he changed his opinion, and became a strong advocate for granting responsible Government to Western Australia, and placing the whole of the country under a responsible Ministry. In 1887 two Resolutions were passed by the Legislative Council in favour of Responsible Government by a majority of 13 to 4, and sent over to this country. Those Resolutions were accepted in principle by Her Majesty's Government, but with reservation of details, including special provisions for the Northern district and protection for the natives. I will not trouble your Lordships with further reference to my despatch of December 22, 1887, but only allude to it as setting forth the views of Her Majesty's present Government on this important question. In May, 1888, a draft Constitution Bill was sent over, and after careful consideration of its provisions I sent out in the following August a revised Bill to the colony. I will only trouble your Lordships with one passage of my despatch of the 31st of August. I said—

"In conclusion, I have to state that, should the Bill which I now send be adopted by the Legislative Council, I shall be prepared to take steps for the introduction into Parliament of the Bill which, as I have already informed you,

it will be necessary should be passed before Her Majesty can be advised to assent to the measure. Her Majesty's Government do not, however, desire to preclude the Council from altering any details in the Bill so long as the main principles are maintained, especially the nominated Council, the division of the colony for the purposes of land regulations, and the protection of the native inhabitants of the colony. At the same time, if any material alterations are desired, I should wish you to furnish me with a full explanation of the reasons for such alterations."

Your Lordships will see that three conditions were laid down as essential to any change in the form of Government. Considerable discussion arose upon these three conditions; but Her Majesty's Government adhered to them, and the revised Bill, with some Amendments, has been accepted and passed by the Legislative Council, and is the measure now submitted for Her Majesty's assent. I will now direct the attention of your Lordships to four important questions which arise in connection with this proposed change. The first question, which lies really at the root of the whole matter, is whether it is expedient to grant the colony Responsible Government; in other words, whether the colony has made sufficient progress and advance in population, wealth, education, and general and material prosperity to justify the change. I submit, without hesitation, that a case has been made out for assenting to the strongly-expressed desire of the colonists, which, I may observe in passing, is strongly supported by the other Australian Governments. I would point out that the existing system of Representative Government leads constantly to complications and difficulties, and that the time has arrived when a change is desirable. And on this part of the case I would refer to a passage in a despatch of the 12th of July, 1887, in which the Governor says—

"It is, therefore, enough that I should clearly express my conviction that Responsible Government ought now to be granted to Western Australia, for the reason that the colony has progressed to the stage at which such institutions may be adopted, and has passed the stage at which the Government can be satisfactorily carried on under the existing Constitution, even when that Constitution is administered—as I have always, with the full consent of yourself and your predecessors, tried to administer it—in the most liberal manner consistent with its framework."

I submit also to your Lordships that there is another very important reason

support of that Board and the benefit of the natives. The money is to be appropriated to the welfare of the natives, and expended in providing them with food and clothing, in promoting the education of aboriginal children, and in assisting generally to promote the preservation and well-being of the aborigines. It is to be expended by the Board, under the sole control of the Governor; and if there is any excess in one year it is to be reserved for the use of the Board in subsequent years. I admit that the majority of the Legislative Council, and, perhaps, the public opinion of the country, were against us on this point, and I admit also that the existing Legislative Council, as a rule, have been ready to take a liberal and just view of questions connected with the natives, but Her Majesty's Government adhered to the opinion that it is not unreasonable that a Board should be maintained independent of political circumstances and influences, and independent of that pressure from particular districts and particular persons which experience tells us is likely to be brought to bear on the Ministers of the day. I have, my Lords, at some length, but I hope not undue length considering the great importance of the question, stated the questions which arise upon this measure. I have shown that on constitutional grounds it is desirable that the change of the form of Government should be made, and that the colony has made sufficient progress to justify the change; I have shown that the proposed Constitution is framed on the lines of the Constitutions already granted to the other colonies on the Australian Continent; that sufficient protection is made for the northern territory which in course of time may be separated from the southern part of the colony; that every precaution has been taken to prevent any obstacle being raised to emigration and settlement in the southern part, even assuming, which I do not for one moment assume, that any obstacles will be thrown in the way by the Colonial Government—and upon this point I may refer your Lordships to an additional precaution, to which I forgot to allude, which is taken by Section 8 of the Imperial Bill, and by which it is provided that Acts of the Legislature of Western Australia imposing restrictions on the immigration of British sub-

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jects shall be reserved for Her Majesty's pleasure—and lastly, I have shown that ample protection is made for the aboriginal natives. I now confidently ask your Lordships to grant a Second Reading to this Bill, which will enable Her Majesty to assent to a measure which I believe will tend very materially to secure the prosperity and welfare of this important colony.

Moved, "That the Bill be now read 2^d."—(*The Lord Knutsford*.)

THE EARL OF CARNARVON: The question which this Bill raises is not a new one. When I filled the post which is now occupied by the noble Lord, it was my duty to take a very different view of the subject to that which on this occasion is adopted. My noble Friend stated that in 1874 the Legislative Council of the Colony passed a Resolution in favour of Responsible Government. I considered the question, and it seemed to me that that was a Resolution to be matured in time. I objected to it, and such agitation as there was subsided, and since then the colony has, I believe, advanced in material wealth and in all the conditions that are necessary. Lord Derby in 1883 had to look at the question from a slightly different point of view, but still I apprehend that substantially there was no very wide difference between his view and mine. So matters stood in 1883. Now, in 1889, this Bill comes before us, and the Colonial Secretary is right in saying that the two main questions which the House has to consider are, first of all—is the colony ripe for this great change; and, secondly, is the Constitutional machinery which is adopted in the Bill the right and satisfactory machinery to impose? In many respects the circumstances of the colony seem to me to remain pretty nearly the same as they were in 1874 and 1883. But under this Bill you are going to hand over a tract of territory not so large as was then proposed to a community comparatively very small, and if you give Responsible Government then you must be prepared to give Crown lands with it. I have heard that doctrine sometimes disputed, but I hold it is inevitable that the two should go together. But there is another and more serious question which arises with regard to this change. It is the ques-

tion of finance. I have no figures before me of the present revenue and expenditure of the colony, but if I mistake not only two years ago there was a bare surplus of £14,000. That is not a large margin to boast of, and your Lordships will remember that you have now to add the whole of the Governor's salary, and the expenses arising from the creation of two Houses of Parliament, and, above all, the numberless expenses which are incidental to Responsible Government. Deal with it as you will, that expenditure will always grow. The circumstances which exist now are in many respects not far removed from the circumstances which existed in former years, when it was considered necessary to refuse the concession of Responsible Government. What, then, has altered the face of affairs? There are some conditions which have changed. The population when I had to deal with the matter was only 26,000; it is now close upon 40,000. There are coalfields now which have attracted a considerable number of diggers. There is a system of railroads growing up, and there is a certain difficulty of carrying on the Government on the present lines. But, after all, the great reason is perhaps this—that the question has been stirred, and Her Majesty's Government have agreed to carry out this change. A Bill has been introduced, and, like many other questions of a similar nature, when a forward step has been taken there is no practical possibility of return. I agree with my noble Friend in thinking, from all I have heard, that the feeling of the Australian Colonies is in favour of this measure. I do not think, however, that he can flatter himself that there is any great enthusiasm on the point; but still, broadly and on the whole, the general Australian feeling is favourable to any accession of Responsible Government. Therefore, I come to this conclusion, that the responsibility must really rest with Her Majesty's Government to decide when the time has come when responsible institutions should be given to this colony. I hope they have decided wisely in this matter, but if Her Majesty's Government will allow me to give them this one piece of advice, it would be this. Having introduced this measure, it is on every ground expedient that they should pass it this Session.

I think the effect there would be very mischievous if by any accident this Bill is now permitted to fall through. It is late in the Session, and it would be unfortunate if any miscarriage took place now. I come now to the second portion of my noble Friend's remarks—the question whether or not this new constitution is carried out in the best possible way? There are one or two points which in frankness I must venture to criticize. On the whole, I admit that the machinery adopted is the right one. It follows in the main the course of the other Australian constitutions, and where it deviates the deviation in many cases is justified by the circumstances. The first point of difference is that power is taken under this Bill for the ultimate separation of the whole of the northern district north of latitude 26 deg. In previous cases no such provision for separation existed. In New South Wales, I think, there was no such provision in the original Act, and it was consequently necessary to introduce it subsequently, and carry it out by other Acts. I think it has been wise, therefore, to make a provision for this purpose. Then I come to the second point. The Bill also gives a power of funding all capital moneys which may be raised from the sale of land in the northern district, holding that capital in fund for the purpose of applying it afterwards to the colony whenever the colony might be constituted. I agree that my noble Friend found himself in a difficulty in dealing with this question. I hope the course that has been adopted will prove successful, but it is impossible not to look at this consideration, that by this arrangement the colonists south of latitude 26 deg. have the administration of the territory whilst they have no power over capital moneys which, under ordinary circumstances, would be raised for capital expenditure. Your Lordships are aware that a very large proportion of the public works in these colonies have been made either with the moneys so raised or in some other form. I do not know whether anything can be done with it at its present stage, but at all events it seems to me that it is somewhat doubtful. Then there comes the further question as to the constitution of the Western Australian Parliament, and I

colony, the existence of it as a country growing in civilization and wealth, is the work of the colonists themselves; it is the work of that small handful of people, who had to contend with difficulties in some respects greater than in the other Australian Colonies, and I think you may fairly trust them with the responsibility of developing the resources of what I believe will hereafter become an important part of the British Empire.

*THE EARL OF DERBY: This can hardly be called a Debate, for everyone is of one mind. I should not have added one word to my noble Friend's observations but for this—that when a considerable change is being made, which affects an important colonial community, it is well that those on the spot should understand that the change is made, as it is in the present case, with the unanimous assent and approval of all those who have had to do with colonial affairs. There is no one who has been in any way connected with the Australian colonies who can doubt that responsible Government is the natural destiny in the future of this colony. The question was entirely one of time. If there had been any strong and general feeling six years ago, when I was at the Colonial Office, in favour of Responsible Government for West Australia, I certainly should not have stood in the way; but I felt that it was not the business of the Colonial Office to force on the colonists a change which at that time they did not seem to particularly care about. It is quite evident they do care about it now; and it is clear that when once the expectation has been held out to them, and when they have been encouraged to look forward to it, the question is practically settled, because to refuse it at this stage would be madness. Even if there are persons (I certainly am not one of them) who think that this change is premature, you must recollect that that is an objection which, in the nature of things, is only a temporary one. I cannot attach any weight to the question sometimes raised in the Press and elsewhere—"Why are you to put such an enormous unoccupied territory into the hands of a very small number of settlers, not enough to make the population of a considerable town?" The answer to that is that it is the only thing

that can be done, and that is the way in which the operation of colonizing has hitherto been carried on. It has been eminently successful so far, and I do not exactly see what is the alternative. I quite agree with what my noble Friend has said that there is no danger that the existing population of Western Australia will be hostile to immigration. When a colony reaches a certain stage of development, when the working classes find they cannot get enough employment, except at a lower rate of wages, and when the country is fairly opened out, there will no doubt grow up a feeling in the colony against unlimited immigration. But at present, and for some time to come, every immigrant who enters Western Australia will be regarded as an addition to the wealth, the resources, and the development of the country; and I do not think that for a long time to come there will be any jealousy on the score of excessive competition. With regard to the reservation of territory to the north of the 26th degree, I have no doubt that that is right from two points of view. In the first place, it meets a feeling which undoubtedly exists here—a feeling of natural reluctance to give up all control over those districts; and, secondly—and this is of far more practical importance—it places matters in a better position for what cannot be far distant—namely, the separation of that northern territory. I think that when that separation takes place, it must include more of the northern coast. I have a very strong opinion that the northern districts of that colony, which is rather absurdly called South Australia, ought not to be, and cannot be, permanently administered from a seat of Government in the south, and that it will be a question for the Colonial Office to decide before long whether the whole of the northern coast of Australia ought not to be divided into separate and self-governing communities. That is one point of importance for the future, and another is that which the Secretary of State has just described as the ultimate federation of the Australian colonies. I cannot conceive anything more important; I cannot conceive anything more in their interests; and if certain local jealousies which now exist were removed, and if the measure were desired by the colonists, I cannot

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conceive that there would be any objection to such a step on the part of the Government or the people of this country. I am afraid there will be some disappointment in the minds of those who look forward to the northern part of the colony as suitable for colonization by labourers from this country. From all I have heard I do not believe that the climate and situation are favourable to such emigration, but no obstacle should be thrown in the way of its being attempted if that is the wish of any one here. There is one point in this Bill which is not to my mind satisfactory, and that is no fault of the Secretary of State or any one else. I refer to the provisions made for the protection of the natives. Perhaps they are as good as they can be; but those people take a sanguine view who think we can give real protection to the aborigines of Australia by any legislation in this country. In conclusion, I will only say that I believe that no piece of colonial legislation had ever come before Parliament which has the more entire and unanimous support from all parties and sections of English public life.

Motion agreed to; Bill read 2^a accordingly, and committed to a Committee of the Whole House on Monday next.

COUNTY COURT APPEALS (IRELAND) BILL. (No. 104)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD HERSCHELL: My Lords, this is a Bill of two clauses, and its object is to give in cases of probate in Ireland a simpler and more effective appeal than now exists; in fact, it assimilates the appeal in such cases in some respects to the appeal which now exists in Common Law matters. I need not trouble your Lordships with the details of the Bill. The general effect of it is to enable the appeal to be made and be heard to a greater extent locally than it is at present, by allowing an appeal to the Judge of Assize. I understand that the measure has the approval of the Irish Government. They only desire some amendments to be made, which will be more formal than anything else, for the purpose of improving the machinery

with regard to the making of rules, which I, personally, should not have the least objection to.

Bill read 2^a (according to order), and committed to the Standing Committee for Bills relating to Law, &c.

PUBLIC TRUSTEE BILL. (No. 127.)

Read 2^a (according to order), and committed to a Committee of the Whole House on Monday next.

HERRING FISHERY SCOTLAND BILL. (No. 149.)

House in Committee (on Re-commitment) (according to order); Bill reported without further Amendment, and to be read 3^a on Thursday next.

REGISTRATION OF COUNTY ELECTORS (EXTENSION OF TIME) BILL. (No. 107.)

SECOND READING.

Order of the Day for the Third Reading, read.

Moved, "That the Bill be now read 3^a."—(*The Viscount Portman*.)

Motion agreed to.

Bill read 3^a (according to order).

Moved, "That the Bill do pass."—(*The Viscount Portman*.)

LORD DENMAN, although he did not desire to imperil the passing of the Bill into law, wished to know whether it was possible to insert in it a provision allowing three days' additional time for the placing of the lists of voters on church doors?

VISCOUNT PORTMAN was understood to say that this was only a temporary measure, extending over two years, and that it was undesirable to introduce into it the proposition of the noble Lord.

Motion agreed to; Bill passed.

WEIGHTS AND MEASURES BILL. (No. 141.)

Read 3^a (according to order), with the Amendments, and passed, and sent to the Commons.

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have added the Lord Privy Seal (Earl Cadogan) to the Standing Committee for Bills relating to Law, &c., for the

consideration of the County Court Appeals (Ireland) Bill, the Lord Zouche of Haryngworth to the Standing Committee for General Bills for the consideration of the Advertisement Rating Bill, and the Lord President (Viscount Cranbrook) and the Lord Monk Bretton to the Standing Committee for General Bills for the consideration of the Board of Agriculture Bill; read, and ordered to lie on the Table.

House adjourned at half-past Seven o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 11th July, 1889.

QUESTIONS.

VIVISECTION.

MR. JOHN ELLIS (Nottinghamshire, Rushcliffe): I beg to ask the Secretary of State for the Home Department whether, since the passing of the Cruelty to Animals Act, 1876, there have been any such Reports from licensees under the Act of the results of experiments as are contemplated by Section 9 of the Act; and, if so, what was the number, date, and nature of such Reports, and what were the names of the persons making them?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Every licensee must, by the conditions attached to his license, keep a written record of every experiment, which is open for examination at any time by the Inspector. Besides this, licensees make a Report in January of each year to the Inspector on a prescribed form, setting out the number of experiments, the general purpose of experiments, and the experiments attended by pain. The names and number of licensees appear in Table 3 of the Inspector's Report for 1888. The number of these Reports corresponds with the number of the licensees. Where experiments are made under certificate, a Special Report is made at the time, also on a prescribed Form, giving a description of

the operation, the agents administered, and the mode of administration. The number of experiments performed under Certificates and the names of the licensees performing are also set out in the same Table 3 of the Report of 1888.

SEAMEN AND THE BOARD OF TRADE.

MR. BRADLAUGH (Northampton): I beg to ask the President of the Board of Trade whether he is aware that *employés* of the Board of Trade have visited seamen's boarding-houses in the Tyneside district, for the purpose of inducing seamen to ship on particular vessels; and, whether this practice has the sanction of the Board of Trade?

THE PRESIDENT OF THE BOARD OF TRADE (Sir MICHAEL HICKS BEACH, Bristol, W.): I understand that outdoor officers attached to certain mercantile marine offices on the Tyne, which are under the superintendence of local Marine Boards, have, in carrying into effect their duties under the provisions of the Merchant Shipping Act, Section 127, occasionally visited seamen's boarding-houses with a view to getting seamen for ships about to go to sea. The practice has existed at North Shields for 38 years, but owing to the general superabundance of seamen waiting employment on the Tyne it is rarely exercised.

In reply to a further question by Mr. BRADLAUGH,

SIR M. HICKS BEACH said: Of course I would prevent, supposing that I have power to do so, anything amounting to an improper interference with seamen. If the hon. Member or any of those who are interested in the matter, desire that any action should be taken by the Board of Trade, I must ask them to bring the matter under my consideration.

THE DIRECTOR OF ORDNANCE FACTORIES.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War, what are the terms as to pension or otherwise upon which the late Director of Ordnance Factories vacated that post; and whether the appointment of his successor has yet been made?

THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The late Director General of Ordnance Factories resigned his ap-

pointment, and receives no pension in virtue of the office resigned. He retired at the same time from the Royal Artillery, on the retired pay to which his service in that corps entitled him. No successor has yet been appointed.

IRELAND—EXTRA POLICE IN WESTMEATH.

MR. TUIE (Westmeath, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been drawn to the fact that, at the recent Assizes for the County of Westmeath, a presentment of £511 3s. 10d. was granted at the request of the Government for extra police in the county, notwithstanding that at the Presentment Sessions for the county at large, held previously, the charge was objected to by the assembled Magistrates and cesspayers, who caused a representation to that effect to be made to the Government; if he can state the grounds on which the Government forced the presentment, in opposition to the decision of the Magistrates and cesspayers; and what serious crime there is in the county?

THE CHIEF SECRETARY FOR IRELAND (MR. A. J. BALFOUR, Manchester, E.): No grounds having been stated by the Magistrates at Presentment Sessions for objecting to the claim, the usual certificate was laid before the Grand Jury, who offered no objection to the presentment. The extra force of the County of Westmeath now numbers 31, of whom 23 were appointed on the requisition of the local Magistrates, and eight only under the Lord Lieutenant's proclamation. It is now at the lowest point it has been for many years. A reduction of five was made in the number in February last. It is not practicable at the present time to make any further reductions.

THE LACE INDUSTRY IN IRELAND.

MR. JUSTIN M'CARTHY (London-derry): I beg to ask the Secretary to the Treasury what was the cost of Mr. Alan Cole's lectures on lace-making and travelling to Ireland in the autumn of 1888; what was the sum fixed by the Treasury for 1889 which has been practically expended for the lectures given this spring; whether the application from lace centres for two sets of lectures this year have been supported by recom-

mendations to the Treasury from the Irish Government that a suitable provision should be made for the continuance of Mr. Cole's services; and whether, considering the information contained in the Thirty-sixth Report (lately presented to Parliament) of the Department of Science and Art, sanction can be communicated to the Science and Art Department whereby the discouragement created by the difficulties raised by the Treasury in dealing with this form of technical education may be put an end to, and the efforts to develop the home industry of lace-making in Ireland be met in a more liberal spirit than at present by the Treasury?

THE SECRETARY TO THE TREASURY (MR. JACKSON, Leeds, N.): The expenses of Mr. Alan Cole's visit to Ireland and of his lectures there in the autumn of 1888 amounted to £96 3s. 8d.; (2) the amount sanctioned by the Treasury for lectures this year was £100; (3) the Irish Government recommended that there should be two sets of lectures this year; (4) the hon. Member will scarcely expect me to agree that the Treasury had behaved ill-liberally or raised unnecessary difficulties about these lectures. They were in the nature of an experiment, and the question of their continuance will have to be considered with reference to other expenditure for similar objects.

THE EGYPTIAN DEBT.

SIR GEORGE CAMPBELL (Kirkcaldy): I beg to ask the Under Secretary of State for Foreign Affairs whether the late refusal of the French Government to agree to a Scheme for the Conversion of the Egyptian Debt is a refusal to accept a Conversion of the Privileged Debt, pure and simple, or a refusal to accept a compound scheme embracing at the same time the raising of fresh loans?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (SIR J. FERGUSSON, Manchester, N.E.): The proposals to which the French Government have refused to agree were contained in a Circular addressed by the Egyptian Government to the Powers, parties to the Law of Liquidation. The assent of the Powers was asked to the draft of a Decree authorizing the creation of a Privileged Debt of 4 per cent to be applied to the Conversion of the 5 per

cent Privileged Debt, the repayment at par of the 4½ per cent loan of last year, and the advance of a sum of £1,200,000 to the Egyptian Government.

*SIR G. CAMPBELL: Have the French Government never been invited to convert the Privileged Debt?

*SIR J. FERGUSSON: The French Government were asked to assent to the conversion of the Privileged Debt.

INDIAN EXCISE.

SIR GEORGE CAMPBELL: I beg to ask the Under Secretary of State for India, whether complete effect has yet been given to that part of the Secretary of State's Dispatch of 19th April, 1888, on Indian Excise, in which he expresses

"The conclusion that some years ago the number of licensed outstills and liquor shops was unduly increased in some parts of Bengal,"

and the view that, in all places and tracts where the population is large and adequate means exist for controlling the distillery arrangements, a preference should be given to the modern fixed duty system,

"And every gallon of spirit passed into consumption must pay the full duty; whereas under the contract system, and still more under the outstill system, it is the interest and in the power of the distiller to make as much spirit and to push the sale thereof by cheapening liquor as far as he possibly can;"

whether, as a matter of fact, the system inculcated by the Secretary of State, which, after being in force for many years in all the populous districts under the Government of Bengal, and confirmed after a searching inquiry in 1871, was subsequently reversed, has even yet been quite fully re-established in those provinces; whether the Government of India have made allowance to the Government of Bengal in the financial arrangements affecting the latter province for the loss of revenue that may result from the abolition of the system now condemned, or whether a financial difficulty still exists; and, why this part of the excise question, which originally gave rise to the discussion, is carefully avoided in the Indian Finance Minister's Statement for 1889-90, and is not reverted to in the Secretary of State's Despatch of 16th May, 1889?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): (1) Complete effect has not yet been given to the proposed

reforms in the Bengal Excise System, but the outstill system is being gradually abolished in one populous district after another; (2) The system is not yet fully re-established; (3) Allowance for a loss of revenue from the change of system has been made to the Province of Bengal. But the Secretary of State cannot without reference to India state its amount.

SIR J. CAMPBELL: Is the Secretary of State of opinion that no financial difficulty now exists?

*SIR J. GORST: There is none that we are aware of.

IRELAND—OUTRAGE BY ORANGEMEN.

DR. FITZGERALD (Longford, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, whether he is aware that, on the night of the 1st instant, Orange bands paraded the roads in and around Strandtown, the Knock, and Bloomfield, immediately outside the borough boundary of Belfast, and that the persons accompanying them burst into the gardens of the residents along the county roads, and, notwithstanding the remonstrances of the owners, tore up the flowers, and carried them away; and, whether, under the circumstances, steps will be taken to have a sufficient force of police detailed for duty upon these roads during the remainder of the present month, in order to prevent further injury to the property of the inhabitants of the district.

*MR. A. J. BALFOUR said, the police did all in their power to prevent the mischief complained of in the question; but so great was the number of people following the procession that, in a few instances, they were unable to prevent the gardens being entered by the crowd. Every effort would be made to prevent a recurrence of such injury.

THE LAND COMMISSION.

MR. CAREW (Kildare, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the decisions given by the Chief Land Commissioners, Mr. Litton, Q.C., and Mr. Wrench, at Downpatrick, whether he is now aware that no alteration was made by them in the rents fixed by the Sub-Commission except to increase the rents so fixed; whether his attention has been called to the meetings of farmers held at Downpatrick, Lisburn,

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Saintfield, and Newtownards, declaring their want of confidence in the Chief Land Commissioners, and calling upon the Government to add to the Commission some person who had the confidence of the farmers; and, whether, he will take steps to so alter the Commission as to give the farmers some confidence in that tribunal as a Court of Appeal from the Sub-Commissions?

MR. A. J. BALFOUR said, on the Downpatrick list there were 126 cases nominally listed for hearing before the Chief Commissioners, but of these 13 were cross appeals, leaving 113 cases to be really tried, of which 92 were landlords' appeals. Eight were tenants' appeals, and, as already stated, 13 were cases where both the landlord and tenant had appealed. Of the 92 landlords' appeals, in 53 cases the landlords failed; and the decision below was confirmed with costs against the landlord. In 13 cases the landlords' appeals were withdrawn. In 11 cases the rents fixed by the Sub-Commission were raised, each party abiding his own costs. Seven cases stand for inspection and judgment, and eight were adjourned for various causes. Of the eight tenants' appeals five were withdrawn, one had been dismissed below on a question of law, and the dismissal was confirmed. In two cases on questions of value the rents fixed by the Sub-Commissioners were confirmed with costs against the tenants. Of the 13 cross-appeals, in six cases the rents fixed by the Sub-Commissioners were raised, each party abiding his own costs, and in five cases the rents were confirmed. One case stands for inspection and judgment. One case has been adjourned for cause.

THE MAMLUTDARS.

DR. CAMERON (Glasgow, College): I beg to ask the Under Secretary of State for India whether he can yet inform the House if it is true, as stated in the Calcutta correspondence of the *Times* of the 24th ultimo, and repeated in the Calcutta telegram in the *Times* of the 1st instant, that the High Court of Judicature of Bombay has pronounced a judgment affirming that the corrupt Mamlutdars and Magistrates are, by the operation of 49 Geo. 3, c. 125—

"Disabled persons in law to all intents and purposes to have, occupy, or enjoy the office or offices—"

For which they have paid bribes; also, whether it is true, as stated in the *Times*' Calcutta telegram of the 7th instant, that the *Bombay Gazette*, of 27th June, contains a notification, authorizing the clerks of eight Magistrates to exercise each the power of the Magistrate, under the Mamlutdars Court Act of 1876; if so, are the Magistrates referred to among those who swore that they had corruptly purchased their positions; what steps have been taken to secure the requisite legal knowledge on the part of the clerks thus called on to perform the duties of the Magistrates; and, what extra pay do they receive in consideration of the new duties imposed upon them?

MR. WALTER M'LAREN (Cheshire, Crewe): Upon the same subject, I beg to ask the Under Secretary of State for India whether the statement is correct, as given in the *Times*' Indian telegram on the 8th instant, copied from the *Bombay Gazette* of June 27th, that—

"Authority is given to the clerks of eight Magistrates to exercise each the power of the Magistrates, under 'The Mamlutdars' Court Act of 1876;'"

Whether these eight Magistrates are permanently or temporarily suspended from their duties; whether the suspension is because of corrupt acts in connection with Mr. Crawford; whether it is legal to allow Magistrates' clerks to act as Magistrates, and how long they are likely to continue in this position; and, whether Assistant Commissioner Sathe, who is mentioned in page 221 of the Correspondence on the Crawford Case, No. 5701, has been suspended, or in any way punished?

*SIR J. GORST: There has not yet been time for the *Bombay Gazette* of June 27 to arrive in this country. But the Bombay Government directed some time ago that in the Talukas in which the Mamlutdars were deprived of all judicial functions, the head Karkun should be invested with the powers of a Mamlutdar in order to exercise that jurisdiction of which the Mamlutdar was deprived. A head Karkun is not a clerk to a Magistrate or Mamlutdar, but holds a distinct and independent office; and it is a constant practice to invest them with magisterial powers.

Their qualification for exercising such powers has no doubt been ascertained in the usual way; and the Secretary of State has no reason to think that they receive extra pay. The practice of investing head Karkuns with magisterial powers is perfectly legal. Sathe is no longer Assistant Commissioner. He was transferred last autumn to the post of Deputy Collector at Ratnagiri.

DR. CAMERON: When will the Judgment and the other Papers be laid upon the Table?

SIR J. GORST: As soon as the Secretary of State has seen the Judgment. I shall be happy to answer any question about it; but before I can answer any question, I must see it.

THE POLICE AND PRESS IN WREXFORD.

MR. WILLIAM REDMOND (Fermanagh, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, whether it is true that Sergeant Birnie, of Courtown Harbour, and another policeman, followed Mr. Ryan, a reporter of the *Wrexford People*, all day, on the 15th of June, even going after him to the meeting of the Poor Law Guardians, which Mr. Ryan went to report; whether it is true that Sergeant Birnie stated that he had orders to follow Mr. Ryan, and, if so, who gave such orders; and, whether, if there be any charge against Mr. Ryan, Mr. Myles Smith, and other people in the vicinity of Gorey, the Government will proceed in the ordinary manner, and refrain from having these gentlemen followed by the police while going about their ordinary occupations?

MR. A. J. BALFOUR: The Constabulary Authorities report that James Ryan and Myles Smyth are members of a vigilance committee, which has been formed in the district for the purpose of boycotting and intimidating tenants who have taken evicted farms. Their movements are, therefore, being watched by the police. They are in no way interfered with in their ordinary business.

THE FOLKESTONE WATER COMPANY.

MR. HOWORTH (Salford, S.): I beg to ask the Secretary of State for the Home Department whether he is aware that in a recent case before the Borough Magistrates at Folkestone, involving an

important dispute between the consumers and the local Water Company, the Magistrates' clerk, who is also solicitor to the Water Company in question, insisted upon advising the Magistrates, after a protest from the prosecuting solicitor, and after an intimation from the Bench that they were willing to sit without a clerk; whether the clerk did, as a matter of fact, advise the Magistrates to find in favour of the Company; and, whether he will inquire into the conduct of the clerk in this case?

MR. MATTHEWS: I am informed by the Justices' clerk that he is not the solicitor to the company in question except in Parliamentary proceedings, and that he never advised the Company in local matters. In this case he was not consulted by the company, who were represented by a London solicitor. He acted as clerk in this case, and advised on points of law with the sanction of the Justices. The proceedings in a suit of this nature must be regulated according to the discretion of the Justices, and this is not a matter in which I can interfere.

GREAT NORTHERN OF IRELAND RAILWAY COMPANY.

MR. CHANNING (Northamptonshire, E.): I beg to ask the President of the Board of Trade whether 11 years ago, in reporting upon a serious collision on the Great Northern of Ireland Railway, between two portions of a train which had become separated, General Hutchinson pointed out to the Company that an automatic brake would have absolutely prevented the collision, by arresting the carriages the moment the separation occurred; whether at that time the secretary of the company informed General Hutchinson that the simple vacuum brake, whose failure caused this accident, was being merely tried experimentally on the line, and that the company had not yet come to a decision as to what brake would be finally adopted; and, whether, in spite of this recommendation, this simple vacuum brake, upon the failure of which General Hutchinson reported in 1878, has remained in use on the Great Northern of Ireland line ever since, and is the same brake that was in use in the recent disastrous collision near Armagh?

Sir J. Gorst

SIR M. HICKS BEACH: The facts are as stated in the question.

MR. CHANNING: Will the right hon. Gentleman introduce legislation in the course of the present Session?

SIR M. HICKS BEACH: Yes, Sir; I hope to be able to introduce a Bill on Monday.

MR. CHANNING: I beg to ask the President of the Board of Trade whether he is aware that early on Saturday morning last the engine of a mixed train on the Great Northern of Ireland Railway, near Denny, being insufficient to drag the train up an incline, the train broke away, that 34 vehicles, including two passenger coaches, ran back down the incline for several miles, and that a collision between this runaway train and the mail train from Portadown was only prevented by the mail train being 40 minutes late, and by the night-signalman at Goragwood shunting the runaway train from the up to the down line; whether he is aware that the two passenger coaches of the runaway train contained a number of soldiers who leapt from the train after the accident, and that the mail train had a full complement of passengers; whether he will inquire whether the guard of the runaway train was only provided with a hand-brake; and, whether the mixed train was marshalled with goods trucks in front, a method repeatedly condemned in Board of Trade Circulars?

SIR M. HICKS BEACH: I have been in communication with the railway company on the subject of the hon. Member's question. It appears that the facts are not quite as stated, and I shall be happy to show the hon. Member the letter I have received from the Company.

MR. CHANNING: Is it a case for inquiry?

SIR M. HICKS BEACH: I hardly think so.

AGRICULTURE IN EGYPT.

MR. WOODALL (Hanley): I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government has received any information from Her Majesty's Agent and Consul General at Cairo in regard to the actual state of the agricultural prospects in Egypt, and the estimated extent of the loss which will be sustained

by the cultivation through the failure of the Nile to furnish a supply of water sufficient to irrigate the area of cotton and rice which had been planted; whether the loss sustained since May 1888 would probably exceed £1,000,000, and whether the mortality in Cairo had risen at any time during the same period above 70 per 1,000; whether, in view of the exceptional delay in the rise of the Nile, any apprehensions are entertained by the English officers employed in the Department of Public Works in Egypt that the rise of the Nile in October may be excessive and cause disasters similar to those of 1878 and 1887; whether apart from the remedial measures proposed by Colonel Ross, C.M.G., R.E., Inspector General of Irrigation, for the better utilization in Upper Egypt of the water of the Nile during August and September, any remedy had been proposed, and recommended to the attention of Her Majesty's Government, which had been approved by Colonel Western, C.M.G., R.E., Director General of Works, to provide against an excessive flood and an insufficient supply during low-Nile; and, whether any instructions had been given to Her Majesty's Agent and Consul General at Cairo, or information furnished him, which could be laid on the Table of the House, in reference to this matter?

*SIR J. FERGUSON: I beg to refer the hon. Member to the Parliamentary Papers — Egypt, Nos. 3 and 4 (1889), where he will find the information which he desires. The loss to the Revenue is estimated at about £300,000. No Reports of exceptional mortality have been received from Cairo. Her Majesty's Government are not aware that any such apprehensions are entertained. I presume the hon. Member refers to Mr. Cope Whitehouse's scheme for creating a large reservoir in the Wady Raian Basin for the storage of Nile water for irrigation purposes. This scheme has been carefully examined by the Egyptian Government, but after full consideration they have come to the conclusion that they cannot adopt Mr. Cope Whitehouse's proposals. No special instructions have been given to Her Majesty's Agent and Consul General in Cairo, for, as I informed the hon. Member in August of last year, Her Majesty Government do not feel

justified in interfering with the discretion of the Egyptian Government in this matter. If the hon. Member wishes it, the Papers can be collected and shown to him.

In reply to Mr. CHILDERS (Edinburgh),

*SIR J. FERGUSSON said: It is impossible to estimate the loss to individuals, but the direct loss to revenue can be approximately estimated. The average annual loss on account of defective irrigation has been £37,000. The only bad year for a long time was in 1877, when there was £1,100,000 deficiency, and in 1888 it is estimated at £300,000. The year 1887 was without precedent for 150 years; and for a century past there had been only four years in which the Nile had attained a lower level than last year.

IRELAND—PRISON TREATMENT— WHITEWASHING CELLS.

MR. MAC NEILL (Donegal, S.): I beg to ask the Secretary of State for the Home Department whether he has yet given effect to the promise made last year to the honourable Member for Camborne, that he would consider and try how far the suggestion of the honourable Member could be carried out for covering the walls of prison cells with a coloured wash of blue or pink, instead of the ordinary whitewash which is known to be injurious to the eye-sight; and, if not, whether he will now cause the experiment to be made, having regard to the fact that the sight of many prisoners has been very seriously impaired by the glare of the whitewashed walls of their cells?

MR. MATTHEWS: I am informed by the Chairman of the Prison Commissioners that he is not aware of the alleged fact that the sight of many prisoners is impaired by the glare of the whitewashed cells. The Medical Inspector in his last Report gives evidence to the contrary. He says that perhaps the most striking feature of the medical statistics is the proof which they afford of the immunity of prisoners from, among others things, ophthalmia. If the hon. Member will furnish me with names and particulars of any prisoner whose eyesight he knows to have been affected in this manner I will have full inquiry made.

Sir J. Fergusson

MR. MAC NEILL: Is the right hon. Gentleman aware that Mr. Wilfrid Blunt in his evidence at Dublin stated that his eyesight was impaired by this cause? I heard him say so myself.

MR. MATTHEWS: I did not read Mr. Blunt's evidence.

FATHER STEPHENS AND MR. KELLY.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, whether it is the fact that from Sunday the 30th of June, till Sunday 7th July, Father Stephens and Mr. Kelly were obliged to keep their cells in Derry Gaol, and were deprived of exercise owing to the Governor of the gaol, Captain Wilson, insisting that any exercise they took should be taken in the company of the persons convicted of the insurance frauds in Belfast. Did Dr. O'Farrell, of the Prisons Board, on Saturday last visit Father Stephens and Mr. Kelly, and did both these gentlemen refuse to take any indulgence in the matter of exercise on the ground of ill-health, and state that on principle they declined to exercise with common criminals; were these gentlemen permitted, as a matter of fact, to exercise by themselves after the visit of Dr. O'Farrell, and did Dr. O'Farrell report that their health had suffered by close confinement for a week to their cells; why were Father Stephens and Mr. Kelly, who have been imprisoned for several months, ordered by the Governor on Sunday week for the first time to exercise with the Belfast swindlers; and, in giving this order, did the Governor act on his own responsibility, or by the direction of the Prisons Board?

*MR. A. J. BALFOUR: I must ask the hon. Member to postpone the question until to-morrow. I only received a final telegram in reference to it just before coming down to the House.

AFFAIRS IN THE SOUDAN.

SIR WILFRID LAWSON (Cumberland, Cockermouth): I beg to ask the Secretary of State for War, what is the Military position at present on the Nile?

MR. BRYCE (Aberdeen, S.): Before the right hon. Gentleman answers that question will he tell the House, so far as he can, what is the present position of the British troops which are being sent out to Egypt?

MR. E. STANHOPE: The last estimate of the force with which Wad El N'jumi is invading Egypt places it at 6,000 men with 800 camels. A telegram received this morning reports that this force marched yesterday seven miles, and is now three miles south of Abu Simbel. It is, therefore, about 33 miles north of Wady Halfa. Sir Francis Grenfell, the Sirdar, is at Assouan, and reinforcements, including some British troops, are proceeding there. In consequence of the necessity of strengthening the garrison of Upper Egypt, the general officer commanding in Egypt has asked for two more battalions of infantry. The Dorsetshire Regiment from Malta and the Yorkshire Regiment from Cyprus will accordingly be sent to Egypt temporarily.

SIR G. CAMPBELL (Kirkcaldy): I wish to ask whether the obligation which Her Majesty's Government declare they have to defend Egypt implies that the defence is to be made at the expense of the British taxpayer?

MR. E. STANHOPE: The obligation remains exactly as it was; there is no new obligation.

SIR G. CAMPBELL: What I want to know is whether Her Majesty's Government interprets the obligation to mean that Egypt is to be defended at the expense of the British taxpayer?

MR. E. STANHOPE: The first thing to be done is to defend Egypt.

SIR W. LAWSON: Is it true that a proclamation has been issued on behalf of the Egyptian Forces, declaring that if the natives are found trafficking with the Dervishes the penalty of death will be inflicted?

MR. LABOUCHERE (Northampton): Can the right hon. Gentleman tell us specifically what is a Dervish in contradistinction to an inhabitant of the Soudan under the orders, I presume, of the *de facto* Government of the Soudan?

MR. E. STANHOPE: I have not received any information as to the proclamation, but I see from the morning papers that it is said to have been issued. When I do I will communicate it to the House. With regard to the other question I am afraid I am not strictly able to define a Dervish, but whatever a Dervish may be he is at present engaged in invading Egypt.

SIR W. LAWSON: Is it true as stated that Turkey has suggested the sending of Turkish troops to Egypt to reinforce the British Army?

MR. E. STANHOPE: I think the hon. Member had better put that question to the Under Secretary for Foreign Affairs.

MR. PICTON (Leicester): I wish to ask whether one great reason for anxiety is the earnest desire of the Egyptian population to receive these Dervishes?

MR. E. STANHOPE: So far as any information reaches us Egypt has prospered enormously during the time that England—[An hon. MEMBER: "Great Britain"]—Great Britain has occupied that country, and the great bulk of the population have undoubtedly derived enormous benefits from that occupation.

MR. PICTON: I did not ask whether Egypt had prospered. I asked whether one cause for anxiety was the earnest desire of the Egyptian native population to receive and welcome these Dervishes?

MR. E. STANHOPE: I have no reason to think that the people of Egypt desire that a force of Dervishes should invade their country and massacre them.

IRELAND—THE PROSECUTION OF MR. GILL AND MR. COX.

MR. SEXTON (Belfast, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether on Tuesday last, at Drogheda, Mr. Hamilton, R.M., the senior member of the Court constituted for the trial of Mr. Gill, M.P., and Mr. Cox, M.P., on charges under the Criminal Law and Procedure Act, in dismissing the charges, is correctly reported to have declared the chief evidence for the prosecution, that of the police reporter, constable Robinson, to be untrustworthy; and what course the Irish Government propose to adopt with regard to constable Robinson?

MR. A. J. BALFOUR: I must ask the right hon. Gentleman to postpone the question until to-morrow.

MR. SEXTON: I will do so. Meanwhile I should like to ask whether, as my hon. Friend the Member for East Clare and my hon. Friend the Member for South Clare were subjected to this

prosecution in consequence of the oath of the constable, which oath had been rejected by the Magistrate, the Government will defray the travelling expenses of my hon. Friends?

MR. A. J. BALFOUR: The ordinary practice will be pursued in this case.

THE LATE MR. HENRY QUINN.

MR. WILLIAM REDMOND: I beg to ask the Attorney General whether he is aware that the late Mr. Henry Quinn, of Downhouse Terrace, Richmond, Surrey, deceased, who was originally a native of Newry, made his will, probate whereof with five codicils attached was granted to Mr. William Mathers Hepper, the executor therein named, on the 30th November, 1887, his assets, after deducting debts amounting to £240,923 10s. 8d.; after the pecuniary legacies therein named testator bequeathed all his residuary personal estate to his trustees,

"To be applied in and towards establishing a society to be called the 'Quinn Charity,' and to be situate in Newry, in the counties of Down and Armagh, for the maintenance and support of such indigent persons, male and female, or male or female, residing in that town or in the neighbourhood of ten miles around, as may have formerly lived in a better or superior class of life, or carried on a respectable business, and subsequently became reduced in their pecuniary circumstances;"

whether it is estimated that the residue will considerably exceed £200,000; and why, whilst the remainder of the estate has been practically administered, no substantial progress seems to have been made in carrying out the wishes of the testator in regard to this charity?

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I would refer the hon. Member to the answer I gave the hon. Member for Derry on the 28th May, and would add that the necessary evidence as to the next-of-kin is being procured by the plaintiff's solicitor.

MR. W. REDMOND: Is there likely to be much further delay?

*SIR R. WEBSTER: There is every reason to believe that the arrangements will be shortly completed. The delay does not rest with the Attorney General.

MR. W. REDMOND: In the course of a few weeks, may I put a question to the Government on the same subject?

Mr. Sexton

*SIR R. WEBSTER: I will communicate to the hon. Member with pleasure any information which may reach me.

THE LAND PURCHASE ACTS.

MR. J. E. ELLIS: I beg to ask the Chief Secretary for Ireland what are the following figures in connection with the Land Purchase (Ireland) Acts, 1885 to 1888; sum applied for to 30th June, 1889; advance sanctioned to same date; amount of principal and interest which accrued due for payment on 1st November, 1888, and still unpaid on 30th June, 1889; amount of principal and interest which accrued due for payment on 1st May, 1889, and unpaid on 30th June, 1889?

MR. A. J. BALFOUR: The Land Commissioners report that 17,986 applications for advances under the Purchase of Land (Ireland) Acts were received up to the 30th June, the amount applied for being £7,356,210. Of these, 13,220 applications for £5,519,306 were provisionally sanctioned, and of the advances so sanctioned 10,102 loans, amounting to £4,249,389, had been issued up to the date named. The total amount of interest and instalments which accrued due from the passing of the Act of 1885 to November 1, 1888, was £147,856 6s. 7d.; of this amount, the sum of £59,205 17s. 3d. payable by 6,943 persons, accrued due in respect of the half-year ended November 1st, 1888. The total sum still unpaid on the 30th June, 1889, in respect of interest and instalments to November 1st, 1888, was £1,355 7s. 3d. due by 97 payers. This arrear has since been reduced to £1,056 7s. 4d. The total amount of interest and instalments which accrued due on May 1st, 1889, was £77,489 15s. 6d., payable by 8,670 payers. The amount of such instalments unpaid on June 30th, 1889, was £8,784 7s. 3d., due by 1,086 payers. This arrear has since been reduced to £7,944 7s. 3d.

EMERGENCY MEN.

MR. COX (Clare, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is a fact that an emergency man is in possession of a farm on the estate of the late Henry Gonne Maloney, at Cahir Murphy, county Clare, and refuses to give up possession to the heir at law or

his agent; and, whether the emergency man is guarded by three members of the Royal Irish Constabulary; and, if so, by what right, or by whose authority, does he remain in possession of the farm?

MR. A. J. BALFOUR: The late owner died in 1888, and there is, I understand, a lawsuit pending as to the right of ownership. The man referred to is in possession pending the decision of the case.

THE NAVAL AUTHORITIES AT THE HOME PORTS. (LEGAL EXPENSES.)

ADMIRAL MAYNE (Pembroke and Haverfordwest): I beg to ask the First Lord of the Admiralty whether it is the case that the Naval Authorities at the home ports are denied the advantage of any legal advice (except in criminal cases), without the permission of the Treasury Solicitor; whether it is true that the bill of costs of the agents of the Treasury Solicitor has been disallowed in cases where the permission has not been first obtained; and whether, as this practically deprives the Naval Officers at the ports of legal advice altogether (except in criminal cases) where prompt decision is necessary, he will consider the advisability of reviving the old plan of the Admiralty having their own law agent at each port?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): Up to 1881 it was the practice of the Naval Authorities to refer all local legal questions to the Admiralty legal agents at the ports. The result was that bills of costs were frequently incurred in respect of business which could as easily have been disposed of by the Treasury Solicitor and his staff without any expense at all. It was in view of this fact that the Admiralty circular of March 3, 1881, was issued, introducing the present system, and providing that local legal advice should not be resorted to (except in criminal cases) without the permission of the Treasury Solicitor. This arrangement has worked well, and has the advantage of constituting one person responsible for all legal actions taken in the name of the Admiralty, with a considerable saving of expense. On some very rare occasions certain expenditure in connection with the employ-

ment of local agents has been disallowed, but only when they have acted in contravention of the regulations. The assistance of the Treasury Solicitor is always available for the Naval Authorities at the home ports, and, with telegraphic communication, the advice of a local legal adviser is considered unnecessary. It is in the power of the Treasury Solicitor to employ a local agent when he considers the case requires it. The system in force at the Admiralty exists at the War Office and for the military stations throughout the Kingdom, and no difficulty has arisen. It would not, in my opinion, be advisable to revert back to the old system.

NONCONFORMIST BURIALS AT SEAFORD.

MR. HALLEY STEWART (Lincolnshire, Spalding): I beg to ask the Secretary of State for the Home Department whether it has been reported to him that the Vicar of Seaford, Sussex, has set apart an out-of-the-way corner of Seaford Churchyard for Nonconformist burials, refusing to permit such burials in any other part of the churchyard; and, whether, in so doing, he is acting in accordance with the Law?

MR. MATTHEWS: No, Sir; I have received no such Report, and the vicar informs me that the allegation contained in the question is quite contrary to fact. There is no out-of-the-way corner in his churchyard where Nonconformists are buried. When no special permission is solicited, Nonconformists are usually buried on the north side. The vicar states that he would never refuse to meet the wishes of Nonconformists with regard to the position of the grave if timely permission were asked. Since the Act of 1880 there have been 12 Nonconformist funerals in various parts of the ground, and he himself has buried 30 Nonconformists according to the rites of the Church of England. The Act of 1880 reserves the right which previously existed in the incumbent of selecting the position of the grave, and I cannot find that in this case anything has been done contrary to the law.

SIR J. SWINBURNE (Staffordshire, Lichfield): Is there not a strong prejudice against being buried on the north side of a churchyard?

MR. MATTHEWS: I am not aware of that.

FOG SIGNALS.

MR. CHANNING (Northampton, E.) asked the President of the Board of Trade when the further Report from the Committee on Signalling at Sea, in reference to sound signals in fogs, to indicate the courses of vessels, is likely to be received by the Board of Trade; whether he will take steps to obtain the completion of the inquiries and the issue of the Report in time for its results to be considered before the International Maritime Conference; and whether he will direct the Committee to obtain replies to the inquiries on this subject, not only from the shipping companies, but, so far as possible, in the case of all the companies from the captains in actual service in the employ of the companies?

SIR M. HICKS BEACH: It is not probable that the Report referred to can be received before the date of the Washington Conference. The proofs of the Revised Code have to be sent to Foreign Governments, and their criticisms have to be received and considered before the Committee can proceed further. The Committee need no direction in the matter; they have taken steps to obtain the opinion not only of shipowners, but of masters of the Merchant Service.

MR. CHANNING: I wish to ask whether the right hon. Gentleman would take steps to obtain—with a view to the discussions of the Maritime Conference—not only official opinions, but the opinions of sea captains in actual service, as to the use of sound signals during fogs?

SIR M. HICKS BEACH: Certainly.

PLEURO-PNEUMONIA.

MAJOR RASCH (Essex, S.E.): I beg to ask the Vice Chamberlain whether, with reference to pleuro-pneumonia, any convictions have been obtained for concealment of the disease; and, if so, what penalties have been inflicted?

THE VICE CHAMBERLAIN (Viscount LEWISHAM, Lewisham): It appears from the Reports which are received from time to time from Local Authorities, and from reports which are published in newspapers, that a considerable number of prosecutions are instituted for non-notification of disease. The fines have varied in different cases from 10s. to

£20. The Privy Council have no means of keeping a record of the prosecutions which are instituted by Local Authorities.

CIVIL SERVICE WRITERS.

MR. MACDONALD CAMERON (Wick District): I beg to ask the Secretary to the Treasury what is the exact number of Civil Service Writers, who were registered prior to the 12th February 1876, at present on the Register of the Civil Service Commission?

MR. JACKSON: I have answered this question once or twice already. I may venture to say that it is not for the public interest that the question should be repeated.

THE NAVAL REVIEW.

ADMIRAL FIELD (Sussex, Eastbourne): I beg to ask the First Lord of the Admiralty whether it is true, as reported, that no visitors are to be allowed on board any of the ships of war at the forthcoming inspection at Spithead; if this be the case, whether he will, by setting apart one of the spare troopships, enable unemployed naval officers and their friends to witness this grand display of naval strength on an historical occasion; whether it is a fact that at all former Naval Reviews a transport has always been set apart for naval officers and a certain number of their friends; whether he is aware that a transport was specially ordered to convey naval officers on full and half pay to witness the French Naval Review at Cherbourg in 1865, in company with the English Channel Squadron; and, whether he will consider the claim of Naval Officers to a similar privilege on the occasion of the visit of the Emperor of Germany at the forthcoming inspection by Her Majesty?

LORD G. HAMILTON: As the occasion of the Naval Inspection on August 3 is looked upon as a practical test of the mobilizing instructions, and as the ships are to be in all respects ready for active service at sea, it is undesirable that visitors should be allowed on board on that day. For some days previously, the vessels comprising the Fleet will be in position, and then, as well as on the occasion of the arrival of the German Emperor and his squadron on August 2, no restriction will be placed on the

admission of visitors to the ships. Under these circumstances, it is not proposed to make any arrangements of a special nature for the officers of the Navy on August 3.

DELAGOA BAY.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for Foreign Affairs whether he can now inform the House what is the precise position of matters at Delagoa Bay as between the Railway Company and the Portuguese Government; and what representations Her Majesty's Government has addressed to the Government of Portugal with regard to their action?

SIR GEORGE CAMPBELL: I beg also to ask whether the claimants under the Delagoa Railway Company's concessions have now objected to arbitration in terms of the concessions, and claimed the diplomatic interference of the British Government to support their alleged rights in preference to such arbitration?

*SIR J. FERGUSSON: The precise position at Delagoa Bay is that the Portuguese Authorities have seized and entered upon possession of the railway on the ground that, by non-fulfilment of their contract, the Company has forfeited its concession. Her Majesty's Government have made no representations beyond what I stated to the House on the 1st instant—namely, that if it shall appear that the Portuguese Government have acted with injustice, resulting in loss to British subjects, they will be held responsible for such loss. In answer to the hon. Member for Kirkcaldy (Sir G. Campbell), I have to say that Her Majesty's Government are not aware that the question of arbitration has reached a stage in which it can be said to have been accepted or declined by either party to the dispute.

MR. BRYCE: I do not wish to press for any answer which it is undesirable to give; but can the right hon. Gentleman state what reply has been received to the representations made by Her Majesty's Government to Portugal?

*SIR J. FERGUSSON: No positive answer has up to the present time been received; but Portugal has, of course, disclaimed any intention to inflict injustice.

SIR G. CAMPBELL: Is not our acting Vice Consul at Delagoa Bay also the railway agent?

*SIR J. FERGUSSON replied in the affirmative.

USIBEBU.

MR. THOMAS ELLIS (Merionethshire): I beg to ask the Under Secretary of State for the Colonies whether Her Majesty's Government has received information concerning the preliminary examination of the charge against Usibebu, which was held at Eshowe, in Zululand, on or about the 25th of May; whether he can inform the House as to the precise nature of the charge then investigated, and of the decision arrived at by the Court; and whether he is aware that after the close of these preliminary proceedings Usibebu was allowed to return to his location?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de Worms, Liverpool, East Toxteth): The Secretary of State has as yet only received an informal Report of the proceedings from the Governor, who has come to this country on leave of absence. The charge was one of being accessory to the murder at Umsutywana. The Magistrate, after an investigation extending over several weeks, dismissed the charge. The Governor is not altogether satisfied with the action of the Magistrate in dismissing the charge; and it is understood that the case has been referred back to the Resident Commissioner for his further consideration as Chief Magistrate. In the meantime, it is understood that Usibebu remains at Eshowe.

THE LONDON COUNTY COUNCIL.

MR. CUNINGHAME GRAHAM (Lanarkshire, N.W.): I beg to ask the President of the Local Government Board if he will call the attention of the London County Council and District Boards (Vestries) to the desirability of doing the whole of the work—namely, road-making, paving, sewers, embankments, &c., without the intervention of a contractor, all work to be done in the same way as in Lambeth and St. James's Vestries?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. RITCHIE, Tower Hamlets, St. George's): The responsibility for carrying out works

such as those referred to devolves on the Local Authorities, and it rests with them to determine what arrangements should be made for the execution of the works. The matter is not one in which the Local Government Board have any authority to intervene; but, if any sanction on their part were necessary, the Board would not offer any objection to arrangements, as regards the execution of works, such as those suggested in the question.

THE IRISH LAND COMMISSION.

MR. MAURICE HEALY (Cork): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland the number of fair-rent applications from the County Cork still pending before the Irish Land Commission; whether it is the fact that several thousand of such applications were lodged before the 29th September, 1887, and are still unheard; at what rate per month those applications have been disposed of since the beginning of 1889; how long it is likely to take before the arrears of cases in the County Cork are disposed of; and, whether the Land Commission intend during the ensuing legal year to add the County Waterford to the Circuit of the Sub-Commission which until the beginning of 1889 was entirely devoted to the County Cork?

MR. A. J. BALFOUR: The Land Commissioners report that on 1st July there were 4,181 applications to fix judicial rents from the County Cork still undisposed of, which include not several thousand, as is alleged in the question, but 1,783 cases in respect of which applications were received prior to the 29th of September, 1877. Since the beginning of 1889 these applications have been disposed of at the rate of 119 a month; but over 800 had been disposed of in the four preceding months. The Commissioners cannot at present state what arrangements the Public Service may require to be made during the ensuing legal year. They must make the best practicable arrangements, having regard to the claims of the various districts, and will fully consider the claims of the county referred to.

MR. MAURICE HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland how many of the applications to fix fair rents made by

leaseholders immediately on the passing of the Land Act of 1887 are still undisposed of, and are now pending; how many fair rent applications by yearly tenants are now pending; at what rate per month such applications are being disposed of, and when it is hoped that the arrear of business in the Land Commission will be got rid of; whether the Government propose to fill the vacancy in the office of Legal Assistant Commissioner, caused by the death of Mr. Reeves, Q.C.; and, if not, why not; what number of additional lay assessors the Government propose to appoint in the event of the passing of their Bill for transferring to the County Courts portions of the work of the Land Commission; and, whether, as it is not now intended to introduce this Bill this Session, the Government propose to make any provision for the despatch of business in the Land Courts, by the appointment of additional Sub-Commissioners?

MR. A. J. BALFOUR: The Land Commissioners report that on the 1st of July 14,615 applications by leaseholders to fix judicial rents, and 32,490 applications of yearly tenants, were still unheard. Applications are being disposed of and decisions announced in such cases at the rate of 2,741 per month. The Commissioners have had under consideration the question as to whether they should recommend the Government to appoint a successor to the late Mr. Reeves, Q.C., Legal Assistant Commissioner. At present they do not propose to do so, as they anticipate that the duties of the Sub-Commissioners can be discharged with the present staff of Legal Assistant Commissioners. But if hereafter it becomes advisable they will apply to the Government to appoint a successor. No statement has been made by me, so far as I recollect, implying that in the Land Court Bill which we had hoped to pass any transfer of business would be made to County Courts. Perhaps as regards the last question the hon. Member will be good enough to put it down at a later date, say this day week.

MR. MAURICE HEALY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the fact that much of the time of the Sub-Commissioners who hear and decide fair rent applications is taken up by the duties

Mr. Ritchie

recently imposed on them of delineating on the Ordnance Maps the holdings which they value; and whether it would be possible to make arrangements whereby at any rate portions of this work could be done in the Ordnance Survey Office?

MR. A. J. BALFOUR: The Land Commissioners state they are satisfied that it is of paramount importance that the Assistant Commissioners should delineate on the Ordnance Maps the boundaries and different qualities of land in the holdings they inspect before fixing the judicial rent thereof, and they do not consider that it would be advisable to adopt the course suggested in the second paragraph.

THE STAR NEWSPAPER AND MR. MONRO.

MR. WHARTON (Yorkshire, Ripon): I beg to ask the Home Secretary a question of which I have given him private notice—namely, whether his attention has been drawn to a paragraph which appeared in the *Star* newspaper of July 9th, in which these words occur—

"It is further asserted that Mr. Monro, Chief Commissioner of Police, has been in Paris during the past few days on a special mission having reference to the Land League books,"

and whether there is any authority for or truth in that assertion?

*MR. MATTHEWS: The assertion made in the paragraph is absolutely untrue. Mr. Monro has not been absent from London from the date of the arrival of the Shah.

MR. WHARTON: May I ask the right hon. Gentleman whether it is not the fact that there is a firm of bankers in Paris of the name of J. Munro & Co., which may possibly have given rise to this extraordinary assertion?

*MR. MATTHEWS: I am informed there is a firm of bankers in Paris of that name.

MR. SEXTON: Is it not true that Chief Inspector Littlechild has been in Paris during the last few days on the mission in question?

*MR. MATTHEWS: I must ask for notice.

ALLEGED JURY PACKING IN IRELAND.

MR. W. A. MACDONALD (Queen's County): I beg to ask the Chief Secre-

tary for Ireland a question of which I have given him private notice: it is whether he can give the House any information as to alleged jury packing at the Maryborough Summer Assizes last Monday, and as to the strong and emphatic protests made by the Jurors, ordered by the Crown to stand by?

MR. A. J. BALFOUR: I have received no information on the subject; but I assure the hon. Gentleman there has been no jury packing.

MR. W. A. MACDONALD: I will repeat the question on Monday.

BANN DRAINAGE BILL COMMITTEE.

MR. SEXTON: I should like to ask the Chief Secretary for Ireland whether he approves of the nomination of Members made by the Government Whip for the Committee to which the Bann Drainage Bill is to be preferred, containing, as the list does, three Irish Members supporting the Government and representing one-sixth of the Irish Members, and only one Irish Member of that part which includes five-sixths of the Irish Members.

MR. A. J. BALFOUR: The right hon. Gentleman must be aware that there are rules regulating the appointment of Committees of this House and the proportion of Members to be supplied by the various parties in the House. I know nothing whatever about the motives actuating other persons than the Government in deciding what names shall be submitted to the House. The only thing I do notice with regard to the names of Gentlemen on this side of the House is, as I think will be admitted, that Ireland is not under-represented.

MR. SEXTON: I beg to give notice that I shall oppose the nominations.

METROPOLIS WATER (No. 3) BILL. (No. 311.)

Order for Second Reading upon Wednesday 17th July read, and discharged.

Bill withdrawn.

PUBLIC PETITIONS COMMITTEE.

Thirteenth Report brought up, and read; to lie upon the Table, and to be printed.

CHAIRMAN'S PANEL.

Mr. Campbell-Bannerman reported from the Chairman's Panel, That they had appointed Mr. Salt to act as Chairman of the Standing Committee on Trade (including Agriculture and Fishing), Shipping, and Manufactures, in the place of Mr. Osborne Morgan.

Ordered, That the Report do lie upon the Table.

BANN DRAINAGE [GRANTS, &C.]

Committee to consider of making a free Grant, out of moneys to be provided by Parliament, for defraying a part of the costs of any works to be executed under any Act of the present Session for the improvement of the Drainage of lands and for the prevention of Inundations within the catchment area of the Lough Neagh and the Lower Bann, and also of authorizing the Board of Works in Ireland to make advances, out of moneys to be provided by Parliament, for the purposes of the said Act (Queen's Recommendation signified), To-morrow.

Message from the Lords:—That they have agreed to Amendment to Indecent Advertisement Bill (Lords), without Amendment; Friendly Societies' Act (1888) Amendment Bill.

MOTIONS.

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BUSINESS OF THE HOUSE (GOVERNMENT BUSINESS).

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): In rising to move the Motion which stands on the Paper in my name, I am performing a duty which is expected from me by both sides of the House. I believe that a strong desire exists that the Session should not be unduly prolonged, and that every effort should be made, consistent with a due regard to the public interests, to bring it to a comparatively early close. It is always expected that the Member of the Government whose duty it is to move a Motion of this kind will indicate the measures deemed to be urgent and important enough to warrant them in requiring that they should be passed before the Session terminates. I need hardly say that those measures include the Local Government (Scotland) Bill and the Universities Bill for Scotland, which have been already far advanced, and as to which no very serious

matter of controversy remains to be disposed of, although undoubtedly there is a mass of details to be considered in Committee or on the Report stage, and those details will require a certain amount of public time, and the importance of the subject will justify the House in devoting to those measures the amount of time they may require. There are also Bills which have passed through Grand Committees of this House which may be regarded as measures of great social importance, rather than as measures of serious political import involving questions on which differences between the two sides of the House are likely to arise. I should deeply regret if it were necessary to sacrifice any one of those Bills, and from the progress which has been made with them I entertain the strongest hope, which I trust will be shared by hon. Members on all sides, that those Bills may be passed without making serious demands on the time of the House. A measure on which considerable difference of opinion may arise is the Tithe Rent-Charge Bill. I hope it may be possible to ask the House to give it a Second Reading early next week. There is another measure which is not in the hands of the Government, but as to which pledges have been given, and that is the Irish Sunday Closing Bill. I hold myself bound to ask the judgment of the House on this measure. I have repeatedly stated that I would endeavour to obtain a decision of the House upon its proposals, and I will do that because I cannot but remember that the question has been exhaustively considered by a Select Committee of the House; and I think the House is bound to take some action on the opinions of a majority of such an important Select Committee. I will not go through the list of all the measures of the Government. I think most of them are of secondary importance compared with those to which I have referred, and I think they are measures which may well be received by the House without serious or prolonged discussion. The Council of India Bill is an important measure, but I trust, even if it is necessary to have a discussion upon the Second Reading, that the House will pass it in the course of the present Session, as it will effect an economy of £6,000 a year in the expenditure of the Indian Government.

at home, with the result of increasing rather than diminishing the efficiency of administration. The Notification of Diseases Bill, I observe, is opposed by hon. Gentlemen on the other side of the House. It is a matter of considerable importance from a sanitary point of view, and I trust the objections which are entertained to it will not detain the House any length of time, having regard to the fact that the Bill is intended to diminish the danger to the public which results from the concealment of the existence of disease, and that the principle of which has been adopted in local legislation in many parts of the country. I come next to consider the matters as to which we are not able to calculate with certainty that the House will be disposed to entertain them. I refer first of all to the New Education Code which has now been before Parliament for some time, and I am unable to shut my eyes to the fact that an amount of criticism and a difference of opinion have been raised in regard to this Code in different parts of the House, which leaves us little hope that there will be anything like time enough in the remaining part of the Session for the adequate consideration of proposals of the character of those involved in this Code. I regret, therefore, that it appears to be necessary to withdraw the Code from the consideration of the House, so far as the present year is concerned, but I do not despair that the fuller study and examination which will be given in the autumn and winter to the proposals contained in it may perhaps make them more palatable and acceptable to the hon. Gentlemen who now differ seriously from them. However that might be, I think the House will feel that by following the example set by a right hon. Gentleman opposite some years ago in postponing the discussion of considerable alterations in the Code for a year, we shall not be acting unwisely in the great interests of education itself. Therefore we shall not ask the House to consider the new Code this year; and, meanwhile, we shall adhere to the Code of 1888, which is now in operation, and under which grants are now being made. I must refer again to the Irish Drainage Bills. There has been considerable opposition to these Bills on the part of hon. Gentlemen below the Gangway opposite. I admit

that they have a perfect right to oppose them; but looking to the character of the Bills, if that opposition is persevered with, it would be unreasonable to expect the House to sit long enough to dispose of those Bills, and I fear that I must leave on those hon. Gentlemen the full responsibility, if they think fit to exercise their right, of delaying the passing of those measures. We do, however, intend to proceed with the Bann Drainage Bill, which has already been referred to a Select Committee. Allusion has been made by the hon. and gallant Member for Galway (Colonel Nolan) to the Light Railways Bill. We think that that is a measure which ought to be passed by the House. It meets generally with favour from all parts of the House; and I believe that no measure would tend better to develop the resources of the distressed districts of Ireland than that Bill. I trust, Sir, that the proposals which I have now made will meet the acceptance of the House generally. I have no doubt that I shall be met with the suggestion that, although it is exceedingly desirable that the House should proceed with the consideration of the remaining Government business as soon as possible, yet exceptions ought to be made in regard to particular Motions and particular measures of hon. Members. I hope I shall not be deemed unreasonable if, after a long experience, I say I could not accept any suggestions of that character. Hon. Gentlemen who have charge of Motions or Bills must see that if concessions were made to them there are others who would be placed in a disadvantageous position, and who would certainly also claim the indulgence of the Government. I am afraid, Sir, the time has come when I must make this demand on the House, not in the interest of the Government alone, but in the interest of Members of the House and of the service of the country. I shall be glad to answer any questions that may be addressed to me, but I think I have stated generally with sufficient clearness what the Government propose.

Motion made, and Question proposed,

"That, for the remainder of the Session, Government business have priority on Wednesday; that, unless the House otherwise order, the House shall meet on Friday at 3 of the clock; and that Standing Order 11 be suspended, and the provisions of Standing Order 56 be extended to the other days of the week."—
(*Mr. W. H. Smith.*)

would save exactly the same amount of time, and certainly not less than that which I ask the right hon. Gentleman to forego. He says it is not the intention of the Government to proceed with the Tithe Bill through the House, but to take the judgment of the House on the Second Reading of the Bill.

*MR. W. H. SMITH: The Government will proceed with the measure.

MR. GLADSTONE: Then I do not make my suggestion; but to take the Second Reading without proceeding with the Bill would certainly be a waste of time. But as to whether the right hon. Gentleman will be able to carry the Bill onwards, as he declares he hopes to do, I entertain shrewd doubts, not because I am hostile to a settlement of the question—on the contrary, I think it desirable and even urgent—but because the right hon. Gentleman will find that the passage of the Bill will demand a great deal of his energy and the time of the House. But, as I have said, this Amendment constitutes a fair case of appeal to the House, and I shall support it.

*MR. W. H. SMITH: I think that the very courteous observations of the right hon. Gentleman require some reply. The right hon. Gentleman has anticipated what I thought had been understood by the House—namely, that if there is material opposition to the measures to which the hon. Member for Glasgow referred, it would not be possible for the Government to press them in the present Session. In mentioning the measures which the Government intend to press, I think the House understands that no other Bills of importance will be pressed if determined opposition is raised. I would remind the House that all the Votes in Supply, beginning with Class 3, have to be disposed of, and this is a consideration which hon. Members must take into account. With regard to the Motion standing in the name of the hon. Member for Hackney (Mr. Stuart) that Motion stands purely as an abstract Resolution. In this most important question for the ratepayers of London, the hon. Member has not, as he should have done, shown, in the form of a Bill, how he intends to apply the principles which he advocates. The question is one which ought only to be entered upon by the House in the form of a practical working measure. If the hon. Member

Mr. S. Buxton

for Glasgow looks at the Papers which record the business of the House, he will find that more time has been afforded to private Members by the Government during the present Session than in past years, but whether that is so or not, the Government have a duty to perform, and I must ask the House to say whether the arrangements I have proposed will not, on the whole, tend to the advancement of public business. On these grounds I must adhere to the proposal I have made.

MR. J. ROWLANDS (Finsbury, E.): The right hon. Gentleman has failed to make out a case against the Amendment of my hon. Friend. I think that a very strong case has been made out for asking time for the consideration of the question of taxation in London. The only reason given by the right hon. Gentleman why the Resolution of my hon. Friend should not be proceeded with is that it is an abstract Resolution, but it appears to me that the more discussion we can have on these complex questions, and the more opinions are concentrated, the better in the end will be the Bill which will be formulated. I can promise the right hon. Gentleman that the Liberal Members will bring in a Bill next year, and we hope he will be prepared to consider and assist in passing it. So far we have had to deal with the question of taxation in London under extraordinary circumstances; twice with the Standing Orders suspended. I think the Government ought to make us the small recompense of permitting the full discussion of the incidence of taxation in London. People outside this House will, I am certain, look for something on the subject much more definite than the statement of the right hon. Gentleman. We are told by the London County Council that the ratepayers of London are so overburdened with taxation that it is impossible to carry out many much needed improvements.

*MR. BARTLEY (Islington, N.): As a Metropolitan Member I am exceedingly sorry that owing to the pressure of business we cannot debate the question of Metropolitan taxation. It is quite a mistake to believe that the handful of Members representing London constituencies on the other side of the House are the only persons who feel an interest in the question. The

50 Members who sit on this side have quite as great an interest in it. I hope that the Government will next year bring forward some practical resolution on the subject.

*MR. PICKERSGILL (Bethnal Green, S.W.): The responsibility for the postponement of the discussion rests with the Metropolitan Conservative Members, who can, if they choose, put such pressure on the Government as would compel them to give the time asked for. The hon. Member has sneered at the paucity of the number of the Liberal Members for London. He may be entitled to do that; but I desire to point out that the greater the number of the Conservative Members, the greater is their responsibility. I have no doubt that the people of London will not be slow to observe that the most conspicuous result of the present ascendancy of Conservatism is a gross neglect of the interest of London.

MAJOR RASCH (Essex, S.E.): On the part of the agricultural interest I protest against the Motion of the First Lord of the Treasury on the ground that it takes away my opportunity of moving the Resolution of which I have given notice. At this moment, in the county of Essex, we are subjected to great hardship owing to the payment of compensation for animals suffering from pleuropneumonia which are compulsorily slaughtered.

*MR. SPEAKER: Order, order! Is the Motion referred to by the hon. Member down for either of the Fridays included in the Amendment?

MAJOR RASCH: No, Sir.

*MR. SPEAKER: Then the hon. Member is out of order.

The House divided:—Ayes 145; Noes 234.—(Div. List, No. 196.)

Original Question again proposed.

MR. BRADLAUGH (Northampton): I make complaint, not unnaturally, that the Government should take away the time of private Members entirely, but I make complaint especially as to a matter to which the right hon. Gentleman himself drew attention. The right hon. Gentleman the First Lord of the Treasury drew attention to the Indian Council Bill, but put it that an economy of £6,000 a year would be effected if the Bill were not opposed. It would have been a fairer way to treat the

matter to say that the Government has twice taken away from myself the time for the consideration of the larger proposal for Indian Reform, to which this Indian Council Bill is only the smallest fringe. I will tell the right hon. Gentleman at once that as the measure will produce an economy of £6,000 a year, I shall withdraw the Notice of opposition which stands in my name to the Indian Council Bill; but I have a right to complain, not only that the opportunity of calling attention to the scheme of Indian reform has been taken away from me by the Government, but that even at the end of the Session there is no intimation as to when the Indian Budget statement will be made, or whether, under the operation of the new rule, I shall, on the Motion that the Speaker do leave the Chair, be permitted to raise the very important matters which are covered by the Motion which stands in my name. This is a matter affecting considerably over 200,000,000 of people—probably, as near as possible, 210,000,000—without counting the population of the Native States, and we are to be thrown again, not simply to the end of the Session when the Benches are empty, but, by the operation of the new rules, we are to be precluded from really discussing, even on that occasion, Indian grievances. When I drew the attention of the right hon. Gentleman to the new rule last Session, I had to refer to the fact that it could never have been intended to shut out the great mass of the Indian subjects of Her Majesty. When are they to come to Parliament with any statement of their grievances? When are they to be able to lay before the High Court of Parliament what they consider to be their just claims for redress? I would ask the Leaders on both sides of the House to consider the gravity of making India dumb Session after Session. When are the people of India to have the opportunity of making a Constitutional and temperate statement of their grievances? It is no use telling them that they ought to be peaceful and patient, and keep themselves within constitutional lines, if the Government take care that within the limits of the Constitution no opportunity is given them to submit their claims. I am in favour of a measure which will have the effect of getting rid of some

of the Members of the Secretary of State's Indian Council, for I am one of those who consider the whole of the Council useless, and desire to see it got rid of. I see no reason why the Indian Secretary any more than the Colonial Secretary should have a Council here, and I shall be glad to give whatever assistance I can to the Government in their endeavour to reduce the number of that Council, but the complaint is that with a very large matter to submit to the House, we are denied the opportunity which we have fairly gained, according to the Rules of the House; but, as I will not allow a Motion of mine to stand in the way of even a small economy, with these few words I will strike it off the Paper.

MR. BAUMANN (Camberwell, Peckham): I desire to ask whether the Government intend to proceed with the Superannuation Bill, and to lay the Treasury Minute on the Table of the House? The right hon. Gentleman has made no allusion to them, though a large number of people are interested in the subject.

*MR. S. RENDEL (Montgomeryshire): The First Lord of the Treasury made no allusion to a measure in which he has often expressed an interest—namely, the Intermediate Education (Wales) Bill. The Bill was read a second time in May, and the Government then asked for time to prepare certain Amendments. They took seven weeks to prepare the Amendments, and though I do not desire to take this or any other opportunity for indulging in reproaches, I must say I think that Welsh Members are justified in asking that some special arrangement shall be made to proceed with the Bill. There is practical unanimity among the Welsh Members save in regard to a few points which can be satisfactorily settled in a spirit of mutual compromise, and having regard to this fact I hope that if next Wednesday, when the Bill stands first on the Paper, is taken by the Government, some other opportunity of proceeding with it will be afforded. Wales has for a long time had held out to it by the Leaders of both Parties promises of intermediate education legislation. We very naturally expected this Session that at last something was going to be done. It would, however, seem that all the Government propose to do for Wales in the way of

legislation is to give it a Tithe Bill. That measure has not been read a second time, still the Government think they should include it in the vital measures to be passed this Session, while they shut out an Education Bill already in a very forward stage. Surely this giving a Tithe measure, and refusing an Intermediate Education Bill will be a most unhappy coincidence.

MAJOR RASCH: I would remind the right hon. Gentleman the First Lord of the Treasury that he did not refer to the matter upon which I ventured to trouble the House just now, namely, the system of compensating for the slaughter of animals under the Contagious Diseases (Animals) Acts. If the right hon. Gentleman will only give us an assurance that the matter will be seriously considered by the Government during the Recess, we shall be quite satisfied.

MR. STOREY (Sunderland): The right hon. Gentleman just now in announcing the withdrawal of the Irish Drainage Bills, referred in almost pathetic tones to the action which had been taken on these Benches. He spoke like the good fairy who is supposed to scatter all sorts of blessings on Ireland, and we, I suppose, are the black magicians who are standing in the way of his beneficent operations. Well, we are quite prepared to take the responsibility. We have acted in the interest of the English and Scotch taxpayers, and not only that, but the Irish people also approve of our action. I wonder whether the right hon. Gentleman has had placed before him the deliverances of the important bodies of public opinion in the districts affected by these Bills. He seems to talk as if the Barrow and the Shannon Bills are blessings which the Government desire to bestow on Ireland. Well, I am sorry that the Chief Secretary is not in his place, for I should have liked to ask him a question. In his absence I will ask the First Lord of the Treasury whether he is aware that the Clare County Grand Jury, the Limerick Board of Fishery Conservators, the Limerick County Grand Jury, and the King's County Grand Jury, have pronounced in the most emphatic manner against these particular Bills? I will read to the House the deliverance of the King's County Grand Jury. It cannot be sup-

Mr. Bradlaugh

posed that it is a Nationalist Grand Jury. They say:—

"That having heard the Report of the Committee appointed to consider the Shannon and Barrow Drainage Bills now before Parliament, we, the Grand Jury of the King's County, feel unable to recommend the said Bills to the favourable consideration of the cess-payers, seeing that those provisions will entail greatly increased taxation for what are, in our opinion, very doubtful and inadequate benefits; moreover, the proposed works have been adopted in opposition to the opinion of nearly all the experts examined by the Royal Commission on Irish Works."

I want nothing more than that to justify the opposition I have taken to these Bills.

*SIR ROPER LETHBRIDGE (Kensington, N.): I desire to emphasize, in the strongest terms I can command, an appeal to the right hon. Gentleman the First Lord of the Treasury and to Her Majesty's Government, to afford some opportunity, during what little remains to us of the present Session, for a fuller and more general discussion of the affairs of India and its general administration than has hitherto been possible this year. Some, probably most, of the opposition that has been threatened to the India Council Bill of the Under Secretary of State has, I believe, really been due to a strong feeling on the part of a good many hon. Members that the affairs of India at large have not received from the House of Commons the attention they deserve. The effect of the new rule, that was passed last year in our amended rules of procedure, in regard to the yearly Debates on the Indian Budget, has been to preclude all general discussion of Indian affairs, and to admit therein nothing but Indian Finance. It is true that the chances of the ballot have occasionally afforded to individual Members the opportunity of raising Debates on some specific point relating to India, and those opportunities have been utilized by myself and other hon. Members to the utmost extent possible for us. But this opportunity is, of course, confined to those Members who are successful in this ballot, and it must be clear to the House that, in present circumstances, the possibility of discussing any important Indian question is of exceedingly rare occurrence, and is left absolutely to chance. What is wanted is, not these discussions on isolated topics,

but the opportunity for such a general discussion as that which formerly took place on the introduction of the Indian Budget. Similar opportunities in regard to Home, and even Colonial affairs, are afforded in abundance in the Debates on the Estimates. But the House should remember that we have no discussion of Indian Estimates other than the Debate on the Indian Budget; and the solitary little opportunity we used to possess of raising such a discussion has been taken away by this new rule. Sir, I believe that the House at large is not at all aware of this remarkable, and, as I think, disastrous effect of the new rule. I know for certain that many hon. Members have not realized it, and I believe that the country would not approve of it. That effect is, however, very generally and very bitterly resented in India; it is attributed to the apathy of the House by those who are not aware that it is due to our rules of procedure. I would, therefore, most earnestly appeal to my right hon. Friend the First Lord, to consider whether some opportunity cannot be given us this year for such a discussion as we desire, and further, whether Her Majesty's Government cannot propose to this House some alteration of a rule which has produced results that are, in the opinion of the people of India, so objectionable in their character.

SIR H. VIVIAN (Swansea District): I desire to add my earnest appeal to the right hon. Gentleman the Leader of the House, that he will in some way enable the Intermediate Education (Wales) Bill to be carried this Session. We are in so close an agreement with regard to the measure that a discussion of two hours will possibly settle the question, and will give to Wales the great blessing of intermediate education.

*MR. SWETENHAM (Carnarvon, &c.): I join with the last speaker in making an appeal to the Government on this subject. In consequence of the concessions that either have been made or are about to be made by the Government to the introducer of the Bill, the way has been paved to a concession on both sides, and I cannot help thinking that if an hour or two were given to us in this House we should be able to pass a Bill which would have a most bene-

ficial effect upon the prospective education of Wales.

MR. BRYCE (Aberdeen, S.): I desire not only to support what has been said by the hon. Gentleman who has just sat down, but also what has fallen from the hon. Member opposite (Sir R. Lethbridge) and the hon. Member for Northampton (Mr. Bradlaugh) with regard to Indian questions. The grievance of which hon. Members complain arises from the practice of this House, and the only real remedy is to give such power of bringing forward measures according to the interest which is taken in them by hon. Members. I do not know whether the House realises the complete change which has taken place with reference to the legislation passed by private Members. Formerly the most useful legislation of this House was embodied in measures passed by private Members. This diminished under the operation of the half-past twelve o'clock rule. In the Parliament of 1880 to 1885 they passed a considerable number of these useful measures, among them being the Married Women's Property Bill. But under the present rules such measures could not possibly be passed. Such a Bill as the London Parochial Charities Bill, which was opposed by a small but active section of this House, could not be passed under the present rules. I brought forward a Resolution that hon. Members should be allowed to put their names to the Bills which they regarded as of most importance. The matter was discussed at some length, and the Government opposing the Motion, then made promises to consider whether or not it would be possible to introduce some rules in regard to private Members' Bills, so that they might be brought on in the order of their importance, and to precede those measures in which a small number of Members were interested. The House will bear in mind that of private Members' legislation this Session there is hardly any, except the Intermediate Education (Wales) Bill, and the Technical Education Bill. These were Bills which, could they have been brought on at the proper time, that is, early in the Session, would certainly have been passed into law. Under the present system these Bills have little or no chance. I hope this question of the rules with

regard to private Members' Bills will be taken into serious consideration, and that a reform will be insisted upon.

MR. J. C. STEVENSON (S. Shields): I cannot refrain from expressing the deep sense of disappointment felt by many people in the country, that their hopes with regard to a measure in which they are greatly interested should be extinguished—I refer to the Sunday Closing Bill. The Second Reading of that measure awakened hopes which are not to be realized. I have been unfortunate in not having found an opportunity to get the Bill into Committee. I appealed to the right hon. Gentleman for facilities, even suggesting Saturday sittings, but have not been able to obtain them. The people of this country attach the greatest importance to the Sunday Closing Bill, and they will be unable to understand how it is that the House cannot spare the small amount of time necessary to come to a decision upon it. Petitions have been presented in favour of the Bill from 117 Town Councils throughout the kingdom, including towns of from 20,000 to 50,000 population—Liverpool, Manchester, Leeds, Blackburn, and a number of others. Upwards of 400 Boards of Guardians have petitioned in favour of this Bill, besides which there have been numerous petitions from School Boards. I say the people of this country will not be able to understand how the House can disregard such an expression of opinion, or how they can pass the Second Reading and then disappoint the expectations which have been raised. If the Government take all the time of private Members in the middle of July, how can we possibly hope to carry these measures of private Members to the stage of full maturity at which they must be passed after a few hours' discussion? I really protest on behalf of private Members against this practice of taking private Members' Wednesdays in the middle of July, all the more because hon. Members who have a difficult public and private duty to discharge, should not be debarred from taking the opinion of the House upon the measures of which they have charge.

MR. A. H. D. ACLAND (Rotherham): I am sure I may say a few words on the Technical Education Bill, the more especially as it is a quasi

Mr. Surtenham

Government Measure. This Bill was brought in in 1887, and read a second time on the 9th August. At that time the First Lord of the Treasury said it was a most urgent question for the Chancellor of the Exchequer to give grants to agricultural education in relief of the rates. Five thousand pounds have been given to agricultural education, but the question of technical education in the industrial districts still remains urgent. In 1888 the subject was mentioned in the Queen's Speech; in 1889 it was not mentioned at all. There have been conferences between Members on this and Members on the other side of the House with the view to coming to an agreement, and if they succeeded we might fairly hope to make progress with the Bill. I hope the First Lord of the Treasury will see his way to giving us some kind of encouragement that progress will be made with the Bill, and that it will even become law this Session. What we ask is that the Government's Amendments should be carefully considered, and we should rather take a part of what we want if we cannot manage to get the whole. Let us take what in principle was urged in 1887 for the great industrial districts—secondary education; let us take that if we can get nothing more. If we can get nothing for England in this matter, the Government will be placed in the position of having done nothing whatever for education in England during three years. They will have given Scotland technical education, and wholly or partially free education, and they will have given to Wales intermediate education and technical education; and if you cannot give this measure to England you will have left her untouched in regard to education for three years. That makes a fair consideration, and certainly if progress is made with this measure, we shall do our best not to make difficulties in Committee. The charge of obstruction made by the Chancellor of the Exchequer in 1887 will not lie on this side of the House on the present occasion. We will remember that after all the Bill is only a Permissive Bill, and that there are great industrial centres of England earnestly waiting for it, and we will do the best we can to pass it.

Mr. DIXON (Edgbaston, Birmingham): I rise for the purpose of ex-

pressing the great regret which I feel at the withdrawal of the Code—a regret which I know is shared by a great many Members in this House, and also by a great number of educationists in the country. I also wish to draw the attention of the right hon. Gentleman to the articles in the new Education Code which promote the institution of day training colleges. In the Amendments placed on the Paper I do not see any objection to these articles which have been accepted, I think I may say, universally. The suggestion I have to make is that the right hon. Gentleman should consult with hon. Members behind him on the subject, and afterwards that he should allow these minutes of the Education Department to be placed upon the Table of the House. I ask that not only because these articles form an extremely important part of the new Code, but also because it is one of those developments which would be of very slow growth. At Birmingham we are perfectly willing to take upon ourselves the burden of establishing a day training college, and in that way we shall afford the country the value of our experience. My impression is that it would be a wise thing on the part of the Government to make an experiment in this direction.

SIR H. ROSCOE (Manchester): I join in the appeal to the right hon. Gentleman. The Technical Education Bill has been read a Second Time. We are now in Committee, and we believe that a very few hours would bring this matter to a successful issue. The question has been before the country for no less than three years; it is not a Party question, it is a matter which we all desire to see dealt with this Session. It is a subject in which great interest is taken in Manchester, and the Department has been memorialized in favour of the Bill as it stands. We have in Manchester a noble benefaction by the late Sir Joseph Whitworth; but it is standing idle because we cannot get power to apply the rates to the purposes of technical education. I do trust that the right hon. Gentleman will give us some hope that we shall be able to come to terms as regards the Amendments proposed by the Government, and that we shall be able to bring this matter to a successful issue in the course of the present Session.

*MR. ESSLEMONT (Aberdeen): Perhaps the right hon. Gentleman will allow me to join in the appeal made on the other side of the House with regard to the Cattle Diseases Act. I wish the right hon. Gentleman to understand that the Scotch counties are very much interested in this, and we shall be very grateful to Her Majesty's Government if they will give the matter their careful consideration during the Recess.

MR. T. E. ELLIS (Merionethshire): I hope the Government will be able to meet the requests of Gentlemen on both sides of the House with regard to these three educational questions—the New Code, Intermediate Education in Wales, and Technical Education. It would be a thousand pities if the clause to which the hon. Member for Birmingham has called attention were dropped because there are certain other parts of the Code to which hon. Members object; and I trust there may be some means of making that part of the Code on which there is absolute unanimity become law this Session. The right hon. Gentleman has referred to the Tithe Rent Charge Bill, which will be opposed by hon. Members on both sides of the House, and therefore it will be practically impossible to carry it this Session. Why, then, waste the time of the House upon it? Here are three questions on which there is something like unanimity, and which a few hours' each would dispose of? May I ask the right hon. Gentleman not to waste time on the Tithes Bill, and to allow these three educational measures to be passed this Session?

MR. JAMES ELLIS (Leicestershire, Bosworth): I wish to ask the right hon. Gentleman whether it is intended to proceed with the Industrial Schools Bill?

*MR. W. H. SMITH: Mr. Speaker, I desire to answer the numerous questions which have been put to me, and I shall be exceedingly sorry if I am unable to satisfy every hon. Member. The hon. Member for Northampton and my hon. Friend behind me called attention to the affairs of India, but, if my memory has not deceived me, there have been Indian discussions this Session of very considerable importance. As to the objection which the hon. Member takes to the Standing Order which prevents a discussion on questions of the latitude he raises on the Indian subject, I have

to point out that there is another side to the question. The Resolutions regarding the finances of India are intended to give an opportunity of expressing an opinion upon very grave questions of finance in India; and if it were the pleasure of the House to entertain a substantial Motion before the House goes into Committee upon the Indian Budget, the effect of such a proposal would be to postpone the supervision of the finances of India to an indefinite period of the evening, and probably prevent the discussion for which it was the intention of the Standing Order to provide. I must thank the hon. Member for withdrawing his opposition to the Bill, which, though a small, is a useful measure, and accept the intimation from him as a contribution to the passing of the Bill. Sir, the Member for Peckham has asked our intention with regard to the recommendations of the Royal Commissioners on Civil Service superannuations. It is the intention of the Government to bring in a Bill to give effect to these recommendations this Session. The Bill is already drafted and will shortly be laid before the House. With regard to the Intermediate Education (Wales) Bill, I think I have given evidence that I am most desirous that it should be passed into law this Session: If the Government had not displayed a desire to pass the Bill, it would have been obviously impossible that hon. Gentlemen could have advanced the Bill to its present stage. But we must meet each other fairly if the Bill is to be passed. We have indicated proposals which we considered to be necessary, and I trust hon. Gentlemen will confer with my right hon. Friend the Vice-President of the County Council out of the House, as I think some hon. Gentlemen propose to do, with a view to arriving at a complete understanding on the matter, I believe it is possible, and if we arrive at an understanding, there would be no difficulty in passing the Bill after 12 o'clock. With regard to the Technical Education Bill, the Government are most desirous that a measure of that kind shall be passed. I think it is possible that the Amendments might be considered out of the House, and that we might find time to pass the measure. My hon. Friend (Major Rasch) has mentioned a question which the Government will certainly consider during the Recess.

But we are bound to take into consideration any circumstances such as the imposition of fresh burdens upon the Exchequer, however important the question may be. The hon. Gentleman the Member for Aberdeen raised a question into which I do not think it desirable that I should follow him. We are not now discussing the rules and regulations of public business. The hon. Member might give the subject his consideration during the Recess, and when he returns, he would find to what extent hon. Members generally are disposed to give adhesion to the practical suggestions he may be able to make. The hon. Member for Shields referred to the Sunday Closing Bill. It is a measure around which rages a war which will certainly be prolonged and bitter, and I am afraid that it would take more than two Wednesdays to get the Bill into Committee. And as to Saturdays I very much doubt whether even the supporters of the measure would care to endeavour to pass on a Saturday a measure which would certainly be talked out. I hope the hon. Member will be more fortunate in getting an early position in next Session, but it is impossible for the House to pass it this Session. The hon. Member for Birmingham referred to the New Code, which we have abandoned for this Session. I am afraid, though I will not be positive, that it would hardly be possible to take one clause of the Code. I do not think there is any other subject with which it is necessary for me to deal.

MR. JOHN MORLEY (Newcastle): I think we are agreed that the right hon. Gentleman has made a good choice, considering the circumstances, in fixing upon the Technical Education Bill and the Intermediate Education Bill as the two measures with which progress shall be made. But I must be allowed to make one remark, and raise one word of protest as to the method in which it is proposed by the right hon. Gentleman to advance these two Bills. The House cannot have failed to notice that these two Bills are in fact to be settled outside this House, and it will be apparent that a process of that kind places the Members in charge of the Bill practically at the mercy of the Government. I hope that the Government will not abuse their advantage.

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Still the advantage exists, and I should like to give the House an illustration of it in connection with the Welsh Intermediate Education Bill. All of us who are interested in that Bill will remember that several hours were consumed, and, as the result proved, were wasted, in consequence of the attitude of the Government themselves. It was on account of the unfortunate Amendment which the right hon. Gentleman has since, at discretion, withdrawn. I am not using the term "at discretion" in an ill-natured sense, but he was compelled to withdraw it by the discussion which took place, and the expression of opinion which came from Members sitting on his own side of the House. I want to point out to the House that if that Amendment had been brought forward by him in a private conference, he would not have been able to find out how strong the general opposition to it was. And there are other points in connection with Welsh Intermediate Education on which it is most desirable he should have the fullest opportunity of knowing the views held by the Welsh Members. If we cannot have a proper and legitimate opportunity—and the only legitimate opportunity of discussing measures of this kind is in the whole House—I have no doubt that my hon. Friends the Members for Wales will accept this arrangement as second best. I hope, however, that they will only accept it on the understanding that the Government do not use the opportunities they have got of preventing my hon. Friends from opening their mouths afterwards upon this most important subject.

*THE VICE-PRESIDENT OF THE COUNCIL FOR EDUCATION (SIR W. HART DYKE, Kent, Dartford): I think it is only fair I should say one word, and offer a very mild protest against the attitude taken up by the right hon. Gentleman opposite. He rather led the House to infer that in consequence of the attitude of the Government, expressed through me, there was some delay in the passing of this Bill through the House. I venture to say that that is not so. We had a very short discussion indeed with reference to the question of the inclusion of Monmouth, but this is a far more important matter than the right hon. Gentleman thinks. However, the result of that discussion has been that I have

been able carefully to discuss the matter with my Colleagues, and to make what we consider to be large and considerable concessions, not only in the interests of this measure, but also in the interests of Welsh education. I should also like to make one statement of an explanatory character. My right hon. Friend the Leader of the House has suggested that some discussion should take place outside the walls of the House. I think it is always best to be open and above-board on these matters, and I believe the remark of my right hon. Friend merely results from this, that I have received an invitation to meet all the hon. Members for Wales on both sides of the House, and to discuss this matter. I will only say further that I shall do my utmost to urge my right hon. Friend to give as much time as is at the disposal of the Government to pass this measure into law, and I would also observe that if the Welsh Members could meet and come to some agreement as to the future of the measure, it might easily be passed through this House even at a late hour of the night.

*MR. CHANNING (Northampton) said: He had heard with satisfaction the announcement of the President of the Board of Trade that he would bring in early next week the Bill he had promised to enable the Board of Trade to enforce the adoption of automatic brakes, and other appliances and arrangements indispensable for the safety of railway working. He hoped that Her Majesty's Government would not only bring in but pass the Bill into law this Session. After the recent ghastly demonstration of its necessity he could not imagine that it would meet with any opposition in any quarter of the House, or that any of those specially interested in railways would raise objections to a reasonably drawn Bill such as was indispensable to make the Board of Trade effective as the guardian of public safety.

Main Question put, and agreed to.

Resolved, "That, for the remainder of the Session, Government Business have priority on Wednesday: that, unless the House otherwise order, the House shall meet on Friday, at Three of the clock; and that Standing Order 11 be suspended, and the provisions of Standing Order 56 be extended to the other days of the week."

Sir W. Hart Dyke

IRISH SOCIETY AND CITY COMPANIES (IRISH ESTATES).

Select Committee on Irish Society and City Companies (Irish Estates) nominated of Mr. John Morley, Sir William Marriott, Sir Richard Temple, Mr. Lawson, Lord Elcho, Sir John Ellis, Colonel Lawrie, Mr. Lea, Mr. Clancy, Mr. Blane, and Mr. Sexton.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That five be the quorum.—
(*Mr. Akers-Douglas.*)

BANN DRAINAGE BILL. (No. 25.)

SELECT COMMITTEE.

Motion made, and Question proposed, "That Mr. Plunket, Mr. O'Neill, Mr. Phillips, Mr. Pinkerton, and Mr. T. W. Russell be Members of the Select Committee on the Bann Drainage Bill."—
(*Mr. Akers-Douglas.*)

MR. SEXTON (Belfast, W.): Since I gave notice with respect to the nomination of the Committee, I understand that the Committee of Selection have exercised their functions and corrected the gross and offensive inequality of which I complained in the first nomination. As there will be three Irish Conservatives and three Irish Nationalists on the Committee, I think that is a proper and fair distribution, and will not oppose the Motion.

THE PATRONAGE SECRETARY TO THE TREASURY (MR. AKERS-DOUGLAS, Kent, St. Augustine's): With regard to my attitude in this matter, I may say that the Committee was struck in the usual way. The House appointed five and the Committee of Selection four Members. Only two Members were appointed from this side of the House, and I do not think the House will consider that is an undue proportion.

Question put, and agreed to.

CRUELTY TO CHILDREN PREVENTION (EXPENSES).

Considered in Committee.

(In the Committee.)

Resolved, "That it is expedient to authorize the payment, out of moneys to be provided by Parliament, of the expenses of the prosecution in Scotland or Ireland of a misdemeanour under

any Act of the present Session for the better Prevention of Cruelty to Children."

Resolution to be reported To-morrow.

ORDERS OF THE DAY.

—o—

LOCAL GOVERNMENT (SCOTLAND) BILL (No. 187) AND LOCAL GOVERNMENT (SCOTLAND) SUPPLEMENTARY PROVISIONS (RE-COMMITTED) BILL (No. 188).

Considered in Committee.

(In the Committee.)

Clause 19.

MR. W. A. HUNTER (Aberdeen, N.): I beg leave to move to report Progress, in order that the Lord Advocate may make a statement to the House on this clause.

Motion made and Question proposed, "That the Chairman report Progress, and ask leave to sit again."

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I am indebted to the hon. Member opposite. I have something to say with regard to the clause which is under the consideration of the Committee, and I understand the hon. Gentleman to take this course in order to expedite that statement. Sir, the Committee divided on a question arising out of the proposal that £30,000 should, during the year ending the 31st of March, 1889, be devoted to the relief of local taxation in the Highlands. The proposal of the Government has been opposed on several grounds. I intimated that we had it in view to reconsider the proposal, and that it might be found that not only the defects of the distribution might be rectified, but also that possibly the total amount might be found more than adequate for redressing defects in distribution of the money generally. The Government have considered the question, and have come to this conclusion. It is generally desired that a certain bonus or premium should be given to those parts of the country injuriously affected by the substitution of excise duties for Parliamentary grants. It is the case as will be found if these counties are examined, that there is a marked difference between the fortune of the Highland counties and that of the other counties in Scotland taken a whole in that matter of the

substitution of the Excise duties for the Imperial grants. The hon. Member for North Aberdeen stated that the surplus was over £8,000, which was substantially accurate, but it can hardly be supposed that that is precisely accurate, and, accordingly, it may be well that there should be a round sum allotted to rectify that deficiency. The Government, therefore, propose that £10,000 should be given for that purpose, but only in years after that now current, for it is hardly possible to interfere with the year dealt with in the clause under discussion, which has been advanced into to the extent of about a quarter. That proposal, therefore, does not apply to the clause under discussion, but to subsequent years, and will constitute the permanent arrangement. The Committee will remember that out of the £30,000 there was provided by the scheme, which has been in operation since last year, not merely a relief to local taxation generally, but also a favour conferred on certain schools in this district which were in a state of complete embarrassment, amounting almost to a threat of stoppage. I may be asked what is to become of these schools. I am happy to say my right hon. Friend the Chancellor of the Exchequer has seen his way to provide for that portion of the funds. It is a considerable sum, amounting to a few thousand pounds. I have, therefore, been able to clear that difficulty out of the way. The proposals the Government make, to repeat them for the sake of clearness, are that they recommend that a sum of £10,000 should be given instead of £30,000 for the relief of local taxation in those counties, which should be distributed through the County Council of each county, in proportion to the sum by which the amount payable to such Council out of the duties on licenses falls short of the existing grant at present paid to such counties. That, I hope, will meet the various difficulties stated by hon. Members on both sides of the House during the last discussion. I may point out several things which that proposal accomplishes. It reduces the sum which was thought in some cases, and I think successfully pointed out, to be more than adequate to meet the purposes in question. It clears away what was a subject of comment—namely, the somewhat anomalous discretion placed

in the hands of the Minister as to the distribution of so considerable a sum. The distribution will now take place, not according to any scheme to be laid upon the Table of this House afterwards, but according to this rule which we propose to embody in the section. The duty of the Secretary for Scotland will be merely to work out the calculations so as to find out what are the sums to be paid in accordance with this proportion. It has also been urged that the actual imminent distress of this particular district received no recognition from Imperial funds. The real case of imminent danger—that of the stoppage of the ordinary establishments of education—will now be met by the Chancellor of the Exchequer proposing a grant in aid for that specific purpose. I do not propose to represent that as aid to poverty; it is merely an aid to a specific case which has occurred. I hope these proposals will meet the views of hon. Gentlemen. They are directed with a complete desire to meet and remove the various objections stated in the course of the last discussion. As to the clause immediately under consideration, I put it to the good sense of hon. Gentlemen whether the Government can be expected during a year actually current to withdraw money which I have not the least doubt has been reckoned on in the financial calculations of these bodies. Accordingly, on that clause I do not propose to make any alteration, but I thought it right the Committee should possess the views of the Government with regard to the permanent arrangement in advance.

DR. CAMERON (Glasgow, College): So far as the permanent arrangement is concerned, every one will, I think, have heard with great satisfaction the statement of the right hon. Gentleman. With regard to the clause before us which provides for the temporary arrangement, I should like to know whether the state of things which last year almost brought the educational machinery of the Highlands to a standstill is to be continued, or whether the Chancellor of the Exchequer will provide for the wants of the Highlands this year.

MR. J. H. B. ROBERTSON: It is not to be done this year.

DR. CAMERON: Then I fear we shall simply have a repetition of what was done last year. It must not for one

moment be understood that I waive my objection, because in the permanent arrangement the discretion will remain with the Minister and not with the House.

SIR GEORGE CAMPBELL (Kirkcaldy): I should be the last to object to the compensation proposed to be given to the poorer districts in respect of the deficiency of the license duties as compared with the Parliamentary grants. The only thing is, I think the Government may have been somewhat hard on their friends. My objection still remains to the principle. We say that the sum, whether it be £30,000 or £10,000, ought to come not out of the Scotch Lowland counties, but out of the Imperial Exchequer. As to the Amendment which I have on the Paper, I propose to move it in order to secure an explanation of the principles on which the distribution will take place this year.

MR. HUNTER: I am glad the Government have given an indication of yielding to the Vote which was taken the other night. I can hardly see how they could have done otherwise seeing that 51 Scotch Members went into the Lobby against them, and only seven unofficial Members for Scotland supported them. If they desired to pay the slightest attention to the opinion of Scotland they could have taken no other step. Although it is a highly objectionable proceeding that this £30,000 should be wasted this year, as last I hope it will be found possible to secure the remission of fees up to the Fifth Standard. I think there will be sufficient money for that purpose, and accordingly I should be willing for the first sub-section of the clause to go through without debate. But upon the second and third sub-sections we must raise the whole question. The Lord Advocate must remember that the Local Authorities in Scotland cannot reasonably expect anything this year, for when the money was distributed to them last year the right hon. Gentleman the Chancellor of the Exchequer expressly stated that it was not to be understood that the grant would be repeated another year. The authorities had in fact full warning that other arrangements might be made. Will the right hon. Gentleman not consent to an Amendment to Sub-section 1, giving the £30,000, and providing for its distribution in the

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Highlands according to a scheme which he will undertake to bring before the House, or submit to a Committee of Scotch Members? If the distribution were undertaken in that fashion it would give great satisfaction to the House. The intention of the Government is practically to repeal Section 69 of the Education (Scotland) Act, 1872—the section which authorizes the parent to go to the Parochial Boards and obtain the payment of fees. Now, although no fees are to be charged in the three lower standards—and consequently there will be no necessity in those standards for application to be made to the Parochial Boards—yet the necessity will still remain in the higher standards, and I trust the Lord Advocate will not lose sight of that point. There is another section which is hardly consistent with the proposal of the Government, and that is the one which provides that the School Board shall fix the fees to be paid for attendance. I would suggest the substitution of the words—“The School Board may, if they think fit, fix the fees.” That will enable us to overcome some difficulties in connection with the working of the scheme.

*MR. CAMPBELL-BANNERMAN (Stirling Burghs): I am sure that hon. Members from Scotland on both sides of the House will recognize that the Government have made a most substantial improvement in the Bill, and I would advise my hon. Friends to act upon the well known proverb and not look a gift horse in the mouth. They should at all events accept the principal parts of the concession which the Government offer. We have suffered throughout from the disadvantage in this matter of having to discuss the general question of a permanent arrangement on a clause which deals only with an arrangement for the present year. With regard to the £30,000 to be distributed this year, I quite admit there might be considerable difficulty in either withdrawing or diminishing that sum. If, however, the right hon. Gentleman would agree to the wish expressed by my hon. Friend behind me and let us have a little fuller knowledge of the manner in which the distribution will be made, I think it would improve the state of our feelings towards this particular sub-section. With regard to the

following sub-section, I hope we may be able to make out a case for an additional sum for the purpose of paying the fees when we come to consider it. The arrangement proposed for the future is, I think, a most satisfactory one—that is to say, that there shall be £10,000 instead of the £30,000, which was proposed to be allotted to these counties in relief of local taxation, and that the Chancellor of the Exchequer shall make a special grant to avoid a repetition of the deadlock which has in some cases occurred in educational matters. I wish to make a further observation lest we should be held to have committed ourselves to a principle in which many of us do not believe. This sum of £10,000 is to be taken as representing the loss which these counties will suffer by the substitution of the local License Duties for the grants which hitherto have been made. Now there is a strong feeling among us, and I think in Scotland also, against handing over the License Duties to localities at all. But I will merely say this, let it be understood that though we acquiesce in the standard by which this amount is arrived at we must not be held as consenting parties to this particular arrangement, though the sum would not be affected if the different view we take were adopted. I do not think it is necessary to detain the Committee by discussing the matter any further. We are very sensible of the fact that Scotch Members have been able to make such an impression on the Government as to induce them to improve their scheme in this way. I cannot help saying that, although it arouses in us a feeling of gratitude for what we have received, and a desire to avoid an undue prolongation of debate, yet we cannot but be influenced by this experience of the result of our pertinacity.

MR. J. P. B. ROBERTSON: Without dwelling on the warning these last words seemed to convey, I will proceed to deal with the points mentioned. In the first place I need hardly say that, in assenting to this proposal, we do not hold the right hon. Gentleman as committed to the principle, this is merely the question of amount. The hon. Member for Aberdeen (Dr. Hunter) has pointed out that there is some clause in the existing Education Act which seems to be in conflict with this system, and I

may say we have not lost sight of this; and upon the Notice Paper for Tuesday, although by some accident it seems to have been omitted to-day, we had an Amendment dealing with the subject. I will see that the proposal is replaced. I do not know whether it will coincide with the suggestion of the hon. Gentleman, but we will consider it in connection with what he has said. The hon. Member for Kirkcaldy asks for some information as to the distribution of the grant. Now, the sum to be dealt with was £30,000. Of this £2,000 was set aside by a Member of the Scotch Education Department, which has been on the Table of the House all the Session, for educational purposes, and the remainder was disposed of by dividing the parishes into four classes according to the proportion of valuation to population, and upon this scale the distribution took place at such a rate that the larger portion fell to the same impoverished parishes. Shortly stated this was the method of distribution, and if anomalies have occurred as, no doubt, they have, I do not think that now we are so well on in the financial year, it is expedient to change the arrangements which I do not say we should permanently adhere to.

*MR. CHILDERS (Edinburgh, S.): Will this contribution or vote in aid to which the right hon. Gentleman says the Chancellor of the Exchequer has assented, be placed on the Estimates, or will it be expressly provided for in the Act?

MR. J. P. B. ROBERTSON: There will be nothing about it in the Act; it will be voted by Parliament.

*MR. LYELL (Orkney and Shetland): We are not all agreed as to the effect of the withdrawal of £30,000 from the Highlands and Islands. It certainly makes a serious difference to the Highland parishes. No doubt a good deal of the £30,000 was shamefully wasted in the past, and I think it might have been allocated in a more reasonable manner to give relief where it ought to fall. I notice that the Lord Advocate in his reply said the manner of allocating this £10,000 would be reconsidered, but whatever happens there must be a very serious diminution in the contributions from the common source towards the Highlands and

Islands. My objection the other day in regard to the contribution of £30,000 was that, as it was to relieve special pressure it should come from Imperial funds.

THE CHAIRMAN: The whole of this discussion is somewhat irregular on a motion to report Progress. It may be convenient to the Committee that the new intentions of the Government should be stated and explained, but it would be irregular to raise any argument now which may be entered upon at the proper time.

*MR. C. FRASER-MACKINTOSH (Invernessshire): Before this Motion is withdrawn I should just like to say that though I am bound to admit that after the result of the Division, the Government could not very well come to any other conclusion, it will cause much dissatisfaction in the Highlands. When a year ago this grant was agreed to with general approval it was stated that the special state of affairs in the Highlands and Islands would need the vote annually. The circumstances are the same as last year, and yet we find a great proportion of the Scottish Members opposing the continuation of this grant. We are much obliged for the verbal sympathy generally displayed towards us, though I must say that sympathy seems to die away when it comes to giving it practical effect. I must warn the Lord Advocate that the same objections that were raised to the £30,000 will be raised to the £10,000, and whatever adjustment he proposes to make, let him stick to the decision, and not let it be affected by objections continually cropping up. As I said before, I am sorry the Government have come to this conclusion.

DR. CLARK (Caithness): Perhaps if we throw a little light on the matter, my hon. Friend will not feel so ill disposed towards this alteration. As I understand it the County Councils of certain counties will receive for distribution a sum equal to what they would receive from the License Duties in proportion to other counties. So those counties which will lose by the change will have the loss made up. Further, I understand the right hon. Gentleman has succeeded in melting the heart of the Chancellor of the Exchequer, and a special grant will be given from Imperial sources for the alleviation of the educational distress

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ⁱn special counties, such as Inverness-shire and Ross-shire and others, thus recognising a principle that has long been applied to Ireland. I cannot see then that there is just cause of complaint. I do not see that this can be objected to by any Lowland Member.

MR. J. P. B. ROBERTSON: We provide that £10,000 is to be devoted to making good the loss that the counties would suffer by the substitution of the Excise Duties for the grants given by Parliament. The result of our taking away the £30,000 would be but for the interposition of the Chancellor of the Exchequer, the abolition of certain schools in the distressed districts; but here the Chancellor of the Exchequer comes to the rescue to the extent of relieving these schools.

Motion, by leave, withdrawn.

SIR G. CAMPBELL: I will move the Amendment standing in my name for the sake of obtaining some information as to the actual mode of distributing the £30,000. Now, that is no inconsiderable sum, and I agree in the principle enunciated by the Lord Advocate that the largest proportion should go to the poorest parishes. But I am bound to say the very reverse of that principle seems to have been followed by the Secretary for Scotland. Rather it seems that the rule has been followed "To him that hath shall be given," etc. When I look at the amounts given to the richer and the poorer parishes, I am astonished at the divergence from the principle laid down by the Lord Advocate, and I can in no way reconcile the result with the right hon. Gentleman's explanation. I take two parishes in Argyleshire of which I confess I have never before heard, Knapdale North and Knapdale South. Knapdale North seems to be a poor parish with a small rental and a large assessment for the poor. The rental is £4,326, the assessment £1,307. Knapdale South has a rental of £10,271, and an assessment of £700; yet Knapdale North, the poorer parish, gets from the £30,000 a sum of £59, and the richer parish of Knapdale South with an assessment of £700 as against £1,307, gets more than three times the amount £190. When I make other comparisons I find similar anomalies. For instance the excessively poor parish of North Uist in the Western Islands, with a

5s. 8d. poor rate, only gets £308. Nesting, in Shetland, with a poor rate of 7s. 5d. in the £1, only gets £227. There are several other very poor parishes in the constituency of my hon. Friend (Mr. Lyell) where the rates are very high, 4s. 7d., 4s. 1d., 4s. 6d., 5s. 3d., and 5s. 5d., yet these get a very small contribution from this £30,000. But I think the best illustration is the two Knapdales, and I should be glad if the Lord Advocate could explain how it is that the poorer parish with the higher assessment gets less than the other. I would add, there is yet time to correct these anomalies for the current year.

Amendment proposed, line 12, leave out from "Scotland" to end of Sub-section 1.

Question proposed, "That the words proposed to be left out stand part of the question."

MR. J. P. B. ROBERTSON: I really must make an appeal to hon. Gentlemen. It is quite obvious that I am not in a position to stand cross-examination on all these particulars, and it is not reasonable to expect it. The hon. Gentleman prefaced his observations by saying that he knew nothing about the Knapdales, and that is rather an unfavourable introduction to a discussion. Considering that these provisions are of a temporary character for the year now running out, I will ask the Committee to consider if we shall be profitable spending our time in going into these cases? We quite admit there may be anomalies in the system which it is desirable to alter.

SIR G. CAMPBELL: This is a remarkable illustration of the evil of which we have often complained of not having the Secretary for Scotland in this House. I should have thought the distribution of this £30,000 a most important matter. True, it is not the function of the Lord Advocate to know all about it, but it is unfortunate that we should be unable to get any information. I admit I have no knowledge of the Knapdales, but these figures present themselves in the statement put before us, and I take them as illustrating the anomalies that run throughout the whole of the statement. Although I do not want to press my Amendment further, I do hope the Government will reconsider their deter-

mination not to make any change for the current year in a system that on the face of it seems unfair and extraordinary.

Amendment, by leave, withdrawn.

Mr. ANGUS SUTHERLAND (Sutherland): I must apologize to the right hon. Gentleman for not having heard his explanation, and so I do not know to what extent it meets the Amendment of which I have given notice. If it does meet it, I will not move the Amendment.

Mr. J. P. B. ROBERTSON: Yes, I think the hon. Gentleman will find that my statement removes all necessity for his Amendment. It is a temporary arrangement at present; but at the end of the year a system will be introduced that will meet the point he raises.

Mr. HUNTER: I now beg to move the omission of Sub-section 2; and I do so because, if for no other reason, the discussion of the question at this stage will save much time on the later clauses. But this is really the proper time to discuss the question of grants for roads, and I would ask the attention of the President of the Local Government Board as well as that of the Lord Advocate. As I read the sub-section, it provides for the contribution of a sum of £70,000 towards the maintenance of roads, this sum being made up of two parts—the old grant of £35,000, which is an Imperial grant to be withdrawn in the future, and £35,000, which is new. Now, I wish to point out that this charge of £35,000 on the Probate Duty is one that should fall upon the Imperial Exchequer. The next clause provides £21,000 for the same purpose. Thus, during the current financial year, in order that the Government may deprive themselves of funds they have available for the purpose of relieving the payment of school fees, in order that they may make themselves impecunious and unable to remove the fees on the five standards, they actually take £56,000 out, which ought to be paid by the Imperial Exchequer, and so during the current year Scotland will not get her eleven-twentieths. On this ground alone, I think the Government should not resist the Motion to reduce the road grant by £35,000. But I pass from that. I do not intend to trouble the Committee at any length, because the main issue we decided on Tuesday was

whether the Government ought to extend relief of fees to Standards Four and Five. Now, I claim that the Vote at which we arrived on Tuesday was not merely the special case of the Highlands, but a Vote on the principle, because my speech directly challenged the Government on the principle, and this was for the purpose of gaining time in the later stages of the Bill. Therefore, I may fairly appeal to the Lord Advocate that he now has authentic information as to the views of Scotch Members on the subject. He finds my Amendment was supported by 51 Scotch Members, while only 10 voted with the Government, and all the efforts of the whips could only secure for the Government a majority of 13. It is evident, therefore, that the House has considerable sympathy with our view. But I would point out to English Members what a monstrous thing it is that by their intervention they should subvert the Vote of Scotch Members on this question. You have had four-fifths of the Probate Duty, you have had your million where we have had our £100,000, and you have done with it what you thought fit. I do not object. I do not quarrel with your disposition of the amount, but this sum of £250,000 is the peculiar property of Scotland, and it is most unfair that 80 English Members should come down here and say, that although the people of Scotland, by more than five to one of their Representatives, wish to use this money for the relief of school fees, yet we shall insist on interfering with the people of Scotland in the distribution of their own money, and shall compel them to divert it from a useful and valuable object to an object of no value whatever. In fact the whole of our case rests on the proposition that the distribution of the money on the roads is throwing the money away: you might as well throw the money into the gutter. On a matter purely affecting Scotch interests, not affecting the English people in any shape or form, in dealing with money that belongs to us alone, are we to be told that the money is to be distributed not according to the opinion of the overwhelming majority of the people of Scotland, but according to the decision of a casual majority of English members, who do not even attend our discussions? If the Government are logical they will make a

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similar concession in regard to this clause as has been made in regard to the Highlands. Now what is the position in regard to roads? Up to 1881-2, the disturnpiked roads of Scotland managed to get along without the assistance of any Imperial grant. There was never a demand made by Scotland for Imperial assistance on this account, but legislation having then been passed in the interests of English county Members, making a grant from the Imperial Exchequer in aid of roads in English counties, it was thought necessary, for the sake of consistency, that a grant should be similarly made in the case of Scotch roads. In 1882-3 the amount granted was £12,000, in 1884 it was £33,000; the last return shows it was £34,000, and now for the first time we have the proposal that the grant shall be doubled. But why? We have never heard any reason, not a shadow of a reason has been given why on earth disturnpiked roads should be singled out for this peculiar consideration. I have heard no reason, and I can imagine none; but I can tell the Members of this Committee that in Scotland there is a very strong feeling against the injustice, the iniquity—I may say the shamefulness—of this proposed Government grant. The Convention of Royal Scotch Burghs have sent petitions to the House against the iniquitous distribution of the grant by which £60,000 goes to the counties, and less than £10,000 to burghs. Now, I ask the Committee to look at this subject from a practical point of view. What good does this £35,000 do for the roads? Taking the average for Scotland, this £35,000 represents as nearly as possible three-eighths of a penny in the £ to occupiers in counties, and one-twentieth of a penny in the £ to occupiers in burghs. That is the entire amount of relief the Government propose to give. What is the largest class in the counties? It is the agricultural labourers and workmen. I do not think it would be unfair to say that £6 is a very high average of the rent paid by the labourers in the Scotch counties. Under your scheme of relief, a labourer will get the munificent sum of 2½d. per annum. A small farm paying £40 a year will get 1s. 3d. a year. The richer men will get a somewhat slightly larger sum. It would be an

enormous advantage to the small farmers, agricultural labourers, and workmen in the counties if there was free education in Standards IV. and V.; because I cannot put the charge per annum for a child in Standard IV. or V. at less than 5s. A parent having three children in the higher standards would, under my proposal, receive relief to the extent of 15s. Under your scheme a labourer in the country would get 2½d., but the tenant in a town with a house rented at £20 would only get ½d. a year. Apart altogether from the question of free education in the Fourth and Fifth Standards, I shall oppose the grant because I regard it as a bad and unreasonable grant; but when you are putting in competition with this mode of wasting £35,000, the giving of free education in the Fourth and Fifth Standards, you know already what the opinion of the people of Scotland is.

Amendment proposed, Clause 19, page 10, line 15, leave out Sub-section (2).—(*Mr. Hunter.*)

Question proposed, "That Sub section (2) stand part of the Clause."

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (*MR. RITCHIE*, Tower Hamlets, St. George's): If it had not been for the direct appeal made to me by the hon. Gentleman I should have been almost afraid to interpose in this Debate in case it might be supposed I wanted to bring some English ideas to the discussion of Scotch business. With reference to the additional allowances, it was perfectly well understood at the time they were made that they were made in anticipation of the passing of the Local Government Bill. As the hon. Gentleman knows, there has been for many years past a very urgent demand made from all parts of the House for more relief than previously to local taxation by means of grants from the Imperial Exchequer. It was because the Government had in contemplation a Local Government Bill in which they intended to propose considerable relief to local taxation, that they desired, being unable to pass the Bill two years ago, to anticipate the passing of that Bill by some measure of that relief. It was so explained at the time, and what was done in reference to Scotland was also done

tending for is the abolition of school fees in all the five standards. The Government are willing to abolish school fees in all the five standards provided they have money enough to do it. They admit that in extending the abolition of the fees to three out of the five standards, they are conferring a boon upon Scotland, and we agree with them. The President of the Local Government Board contends that in their proposals the Government have the Members with them who represent the Scottish ratepayers in this House. If by a majority of votes the Scottish Members decide that they would rather devote this money to the freeing of education in the Fourth and Fifth Standards in preference to relieving the road rates, will the Government abide by that decision? That is a fair issue. As a county Member, I affirm that the people would rather free the education in all the standards than take this money for the roads. If that is the opinion of the Scottish Representatives, what reason can there be for the Government refusing this concession?

MR. THORBURN (Peebles and Selkirk): I most heartily approve of the Amendment of my hon. Friend. I have taken some considerable trouble to ascertain the opinion of my own constituents, and I can say that every man, no matter to what Party he belongs, approves of the proposal of the hon. Gentleman. I most earnestly ask the Government to give effect to what is really the wish of the great majority of the people. I feel that in doing so I am urging the Government to do what is in their own interest, and what will be looked upon with gratitude by the people of Scotland.

*MR. CHILDERS: I should like to say a few words upon this subject, having some historical interest in it. I do not think the facts of the case have been fully explained by the President of the Local Government Board. There was for many years a persistent agitation, headed by Sir Massey Lopes, on behalf of the country gentlemen of England seeking relief from local taxation. It was strongly urged that as it was impossible to carry a Local Government Bill, at the same time grants should be made by the Treasury at once in reduction of local burdens. That view was carried in the teeth of the Government of the day, who were anxious to

do the two things together. What was the result of the decision? It was that the Government found themselves constrained to propose a plan under which English road authorities would have a considerable subvention out of the public money. The suggestion was never even made as to Scotland, and it was only afterwards, when it became necessary for the Government to give effect to the view taken by Parliament at the time, that it was urged that the same must be done for Scotland that was done for England. What is the position now? The House has agreed to certain measures of relief to Scotland and England alike in connection with the establishment of Local Government. Surely Scotch Members have a right to say, "Let us have what is given to Scotland in our own way and for our own purposes, and not necessarily in the same way as England." I am persuaded the Government will listen to the voice of the Scotch Members, and let the aid to Scotch local expenditure—which all are agreed should be equally given—be given to England in the way England wishes, and to Scotland in the way the Scotch people wish.

*MR. BAROLAY (Forfarshire): I trust the Government will accept the compromise suggested by my hon. Friend the Member for Aberdeen, which I understand to be that the subvention to the rates in Scotland should be the amount given some few years ago. I have the honour to represent a large county in Scotland, but I confess I never heard anyone demand any subvention in respect of the roads. The people would greatly prefer that this £35,000 should be applied in the reduction of school fees than in the reduction of the road rate. Surely, it would conduce very much to an economy of time if the Government could make up their minds to accept this compromise. By doing so they would establish a claim to the lasting gratitude of the people of Scotland. In the end this will have to be done; in fact, I am persuaded their present proposals will not last much beyond the next General Election. The people of Scotland have made up their minds to seize this opportunity for obtaining free education, and the Government would gratify the people by distributing this money so as to attain this object.

compromise without further waste of time.

MR. R. T. REID (Dumfries, &c.) : I know that among my own constituents, and I was recently with them, feeling is very strong on this subject. The situation here is remarkable. No single Scotch Member has supported the Government though hon. Members from Scotland on the other side have been repeatedly challenged to do so. We have also a considerable number of English Members present—nearly a dozen I think—which is a considerable number for these Debates. Now inasmuch as no Scotch Members have supported the Government, will not English Members support Scotch opinion on this matter, which has no Imperial concern whatever? It is simply a question of spending Scotch money according to Scotch opinion for the purpose of freeing education. The proposal of the Government is futile for any benefit to Scotland: it does not give relief of more than three-eighths of a penny in the £1 anywhere. I would appeal to Conservative Members, is not this an occasion when they might judiciously interpose to assist us in a modest and reasonable request?

SIR ARCHIBALD CAMPBELL (Renfrew, W.) : I have no hesitation to express my opinion when challenged. I supported the Government proposal for a grant to the Highlands because I believed it was fair and just, and the carrying out of a bargain made with the ratepayers that they should be in a position equal to that they occupied previous to the passing of this Act. But when I come to consider this question of the grant for roads, I am bound to say that the money given for roads has not been asked for by Scotland. This is one of those matters on which a large sum has been frittered away to a considerable extent. I am bound to consider those who pay small sums to the roads, as well as those who pay larger sums, and I think the relief afforded is so inconsiderable, that I think it would be a graceful concession on the part of the Government if they were to yield on this point.

THE FIRST LORD OF THE TREASURY (W. H. SMITH, Strand, Westminster) : I have listened with very great interest to this Debate, but I

suppose, as an English Member, I shall not be precluded from interposing now. This is a question of very considerable importance, touching as it does other financial questions which have to be handled with very great care. If, therefore, the Government do not vote against the Amendment on the present occasion, it must be understood that they reserve full liberty between now and the Report to consider its full effect on the whole financial question.

*MR. MARK STEWART (Kirkcubright) : While admitting the expediency of the concession the right hon. Gentleman has made, I cannot but regret the Government have given way. Since the turnpikes were abolished, the money given to the roads has been of immense advantage, not only to the ratepayers, but to the whole country.

*MR. CAMPBELL-BANNERMAN : I cannot but acknowledge the frank way in which the right hon. Gentleman has met the wishes of Scotch Members in wisely accepting the opinion of Members as expressed in the Committee, without waiting to see the numbers on division. I take this to be a concession to our wishes, providing no financial difficulties interpose; and I am sure the Government will reap the benefit of this in Scotland, and that it will greatly facilitate the progress of the Bill.

SIR G. TREVELYAN (Glasgow, Bridgeton) : It may save time if I say a word in reference to Clause 25. This Clause 19 is important; but Clause 25 is of greater importance, and I hope the Government will consider that clause in the light of the debates on Clause 19, in order that when we get to that clause, as I hope we shortly may, discussion may be materially shortened.

Question put, and negatived.

Question, "That the words 'one thousand eight hundred and eighty-seven,' be there inserted," put, and agreed to.

SIR G. CAMPBELL : I am sorry the hon. Member for South Lanark is not in his place. I would rather the Amendment I have to propose should come from him. I quite accept the view which I think was accepted by the decision on the last discussion, that the old standard of subventions should be maintained, but that the distribution of new money

Dr. Clark

should be according to the wishes of Scotch Members. So far as I can understand Sub-section 3, this is a new grant, and not in compensation for the old grant for pauper lunatics. It is a new grant, and treated differently from the money provided by Sub-section 2. Now, it is argued that the granting of sums in aid of English paupers is an attempt to force the local authorities to adopt the indoor system of relief. Of course, I do not mean to say this is an encouragement to manufacture lunatics, but I think the method of application is artificial and objectionable, and therefore I move the omission of the sub-section.

Amendment proposed, page 10, line 21, leave out Sub-section (3).

MR. HUNTER: I think we might dispose of this question very shortly, for there is really only one point in it. This £21,000 now paid to the Parochial Boards out of Imperial Funds is as nearly as possible identical with the sum now paid for the fees of pauper children; therefore, it is really a question to consider whether it is worth while keeping this up as a separate grant. Of course, it is obvious that it makes no difference to the ratepayers whether you keep it as a separate grant except in this way, that if in addition to relieving the Parochial Boards from school fees you add this, you make an addition of £21,000 to the Parochial Boards. I make no objection to that, except if you withdraw the implied prohibition of 1882, on School Boards against the remission of fees. The Act of 1882, though not in precise terms, by implication prohibits such remission. But really in the end it merely comes to a matter of account, and perhaps the Government will express their opinion?

MR. J. P. B. ROBERTSON: I think it will be quite obvious that it is impossible to determine the question except on a review of the whole financial situation. My right hon. Friend has promised that the whole matter shall be reconsidered, and I do not think the Committee can usefully address itself to the question now.

SIR G. CAMPBELL: Then may I ask what the Government intend to do? On the last occasion they struck out the sub-section. Of course, I am quite in the hands of the Government.

MR. W. H. SMITH: Perhaps we had better let the sub-section stand as it is for consideration, as I suggested.

Amendment, by leave, withdrawn.

*MR. HOWORTH (Salford): There is a very old tradition of the House that a Member best secures its attention and respect when he only interposes upon subjects on which he has special knowledge, or where a special duty is placed upon him. I feel the force of this so very strongly that I should not have ventured to intervene in a Scotch Debate if I did not feel that the clause to which I rise to take exception contains a principle not only exceedingly mischievous on its merits, but which traverses in my view, and in the view of many others near me, the best traditions we are here to represent. I refer to the principle of free education, which is conceded in this clause. I am aware that my right hon. Friend the Lord Advocate the other day protested rather warmly against the compliments showered upon him from the other side on his conversion to this principle, which, for the past 25 years, the party to which he belongs has denounced, but the fact remains that by this concession a man will, for the first time in our history, be in a position to claim as a right that his children shall be educated at the expense of others when he can afford to pay for it himself, and this is what we mean by Free Education. I cannot help thinking that some of us ought on this occasion to give the loyalty of our vote to the principles we have uniformly maintained on every platform wherever we had the opportunity of pressing them home. My objections to the clause and the principle it contains are, in the first place, formal objections. I think that when a party diverges from a ground which they have occupied so long that divergence ought not to be formulated in an obscure section of an Act of Parliament, which in essence is by no means germane to that section, but in a special enactment so that under the light of heaven it may be proclaimed to all who are interested what has been done. I object that in a Scotch Local Government Bill we should have an obscure clause of this kind passed to effect such a revolution in our principle and practice concerning education. But

it seems to me that this is not the only disguise in which this principle is recommended to the House. If this had been a direct proposition to assist education in the direction of making it free by imposing rates, we should have had a very strong opposition from more than one Scottish Member; but, because it is taken from a fund to which it is the fashion to think all are not contributors—the great milch cow of the State—Imperial taxation and duties—a milch cow which seems very remote from the ratepayers; that it has succeeded in attracting to itself the popularity which it has secured. But, this is a mere disguise. In England the same tax is, no doubt, devoted to the relief of the ratepayers, and whether you pay for education out of the rates, or from a fund which otherwise would go for the relief of the taxpayer, it seems to me that eventually the Scottish ratepayer is the person who will have to pay for the principle of free education. My objections, however, are not merely formal. I am opposed to the principle of free education as being most mischievous in every possible aspect, not only *a priori*, but because empirically it has been proved mischievous in many countries. I will state one or two particular examples of the mischief I foresee. I will not enlarge on the tremendous danger we are perpetually in with a population growing at a rate which to some is like a dismal nightmare, and when inducement after inducement is being given to classes which have no prudence in their arrangements, matrimonial or otherwise, to increase that population, which is already so congested in many districts. "Free education" is a palpable misnomer. There is no such thing, and the expression means merely that the education, which ought to be paid for by one set of men has to be paid for by another, consisting in many cases of men quite as little able to bear the burden as those seeking relief. We ought to have regard to the great classes of clerks and superior artisans in the large towns who wish their children to be educated apart from the sinister influence of the gutter, who have paid for the education of their own children at considerable sacrifice, and upon whom will be imposed a double burden if they have to

pay for the education of their neighbours' children as well. I cannot help referring to the 4th Section of the Scotch Education Act, in which the duty of the State, and of the parent in this matter is stated in terms which, in an Act of Parliament, are almost poetical. It seems to me that in that clause, you have formulated in a way which cannot be improved, what we all feel, namely, that if there be a duty that is more parental than any other, it is distinctly that of educating a man's children when he has brought them into the world. I cannot follow the argument that because education has been made compulsory, we, therefore, ought to relieve the parent of the duty of paying for that education. Compulsion by the State in such a case is only the insistence that a man shall perform the duties naturally incumbent upon him. If he cannot afford to do it, we provide him with machinery for obtaining relief. I am aware that the method of relief in such cases is one which in some quarters raises a sentimental grievance, and I should be prepared to consider some method of remedying the grievance. But so long as a man can bear the burden, we have hitherto enacted that it shall be borne on his own shoulders. We know experimentally that a parent alone values for his children that which costs him some sacrifice. In this I am not speaking so much of Scotland where education has been looked upon as almost a religious duty; but I am thinking of the great masses in the large English towns and elsewhere. This fact should have weight with the party to which I belong, for it is surely one cardinal plank in its platform, that an individual ought at all hazard to bear burdens he makes for himself. Mr. Forster in his great education speech in 1870 recognised and insisted upon the duty of a parent paying for the education of his children, and pointed out that if free education were granted for elementary education, it would afterwards be demanded for secondary and primary education as well. But I would go beyond this *a priori* argument. We study politics generally as an experimental science, and not merely as a deductive art, and therefore it is as an experimental science that we ought to treat it when we deal with

Mr. Howitt

cases like the present. Take the case of America—a country which is so like our own in antecedents and condition of life. It is a most remarkable fact that in America, where education is free, as is shown by the last Return of the Education Board, children attend school only 62 per cent. of the time they ought to be at school, while in the corresponding schools in England where fees are paid the time of attendance is 74 per cent. There you have a case where the experiment has been tried for many years, and where it has been tried under the best conditions, and I say the result is such as ought to make you hesitate very much before trying the experiment at home. I want myself to see the children of this country educated, and I would sacrifice a great deal to Socialism if I thought the Socialistic doctrines we are likely to add to the number of our educated people among the working classes, but in America they have proved to be an utter failure in this behalf. The best of all recent authorities on education, the late Mr. Matthew Arnold, was decidedly opposed to free education. Mr. Fitch, perhaps one of the most experienced English inspectors who have been to America to report on the educational system in practice there, and other educational authorities, are distinctly at one in contending that directly you take away the enormous inducement and pressure behind the parent, in the form of payment for the education of his child, you at once have a great amount of truant playing, the children do not attend school as they should, and there is an immense falling off in attendance. It is a remarkable circumstance that in a country like England, where the principle of free education has never been introduced at all, you should have a return of school attendance which tells so conspicuously in favour of our present system. To take another instance, in the old Kingdom of Prussia, where the children are almost dragooned into learning, we find the most remarkable fact that whereas in the Prussian Constitution of 1850 there is a clause making education both free and compulsory, it has never been enforced except in Berlin.

MR. MUNDELLA (Sheffield, Brightside): Oh, yes.

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*MR. HOWORTH: Perhaps I am putting it a little too strongly. But, at any rate, in seven-eighths or eight-tenths of the kingdom the system of free schools has not been introduced, and all the Prussian educational authorities completely condemned the principle. The principle has hardly been enforced at all in Prussia, and remains as it was before the year 1850, in all the towns except Berlin and Düsseldorf. And what is true of Prussia is also true in a measure of Bavaria and Saxony. In Paris, where the democratic theory prevails that all children ought to be put on the same level for their chance in life, one-third of the poor are not taught and where free education has been adopted as a plank of the ultra-democratic platform in free schools, and a complete revolt is going on against them. The number in private schools is increasing largely, because there is in action a progress of grading schools, which is a necessity where you have a large mass of population living in the gutter, with which it would be a crime to make the children of the better people amongst the humbler classes associate compulsorily. I have never seen a rational scheme of grading these big schools so as to avoid contact with the dirty and the vicious. No doubt in Scotland the problem does not present itself in the same aspect, for amongst the people in the rural districts there much the same morals and cleanliness prevail, and there is no difficulty in mixing the poor, but there would be great difficulty in doing so in large communities like Glasgow, just as there would be in large English towns, such as Manchester and Salford. I can quite understand Members opposite giving their allegiance to the view that on this question they should give what is demanded by Scottish opinion and not what is necessary in the Imperial interests, because they are the Home Rulers. But while I am in favour of extending as much as possible the principle of making the administrative machinery in Provincial districts adapted to their needs and demands, I hold that it is mischievous to introduce a fundamental principle for Scotland on the question of education which is not applicable to England. Grave questions of principle like this ought not to be decided by local and provincial feeling, as is desired

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by Home Rulers opposite, but upon Imperial considerations, and it is because I am sure the same demand will be made in England if this precedent is established that I make a solemn protest against the proposal. We have no right, in regard to a question involving so much that is dangerous and doubtful, to settle it on behalf of a local district and in deference to provincial opinion, for it ought to be decided by this House for us all. You have already difficulties of the supremest kind created by divergence of principle in different parts of the Empire—one of which, I may mention, namely, the law of marriage, a man who has lived in adultery can in Scotland, after marriage, have his children regarded as legitimate, whereas they would be regarded as bastards in this country. That is the kind of difficulty which should not exist. It seems to me you are introducing another and similar difficulty in this Bill in trying to make one rule for Scotland and another for England. I protest against this new principle on every ground. I protest against it because it is the duty of a parent, if he can afford it, to educate his children, and because it will give a great blow to education instead of enhancing its benefits. I also object to it because by giving State aid merely for the three lowest standards you will induce great masses of the poor to treat everything beyond that miserable level as something which is mere luxury and you will be drawing a line by which poor people are to fix what is education and what is luxury. The standard in such matters is low enough already. I feel very strongly on this subject. I feel that I am committed by many pledges to oppose the introduction of free education, and by promises to deputations of persons verging on complete poverty, protesting against this principle. And, finally, I protest that we have no business in this House to steer our legislative ship by a merely provincial rudder, and that we ought in all these matters of supreme importance to adopt those views which our experience and theories teach us are good for us all. Feeling this, I think I ought to press my Amendment to a Division, if I can only get one hon. Member to tell with me in the Lobby.

Mr. Howorth

Amendment moved, Clause 19, page 10, line 29, to leave out from "direct," to end of Sub-section 4.—(*Mr. Howorth.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. PROVAND (Glasgow, Blackfriars, &c.): The Scotch Members are tolerably well accustomed to being voted down in regard to measures which the great majority of them want; but I should be astonished if the Amendment of the hon. Gentleman the Member for Salford obtains any support whatever on the other side of the House. The hon. Member objects to the question of free education being brought forward in what he calls an obscure clause. If there is anything obscure about the clause I hope it will be rectified before it leaves the House. Then the hon. Member objects on the ground that the money is not given by a direct Vote; but the fact is the money is given as directly as it possibly can be. More than that, it is Scotch money, and surely we have some right to say to what particular purpose it should be applied. The hon. Member next said that the population of Scotland was increasing very fast. Everybody admits that; but that is no reason why education should not be made free. A further point of the hon. Member's against the sub-section is that there are many clerks and superior mechanics in Salford who do not wish their children to mix with scholars who are not so well dressed—with gutter children, in fact, to use his own expression. Surely this is creating class within class, and I am glad that in Scotland we have no clerks and superior mechanics of this kind. Our duty is not to degrade the scholars, but to lift them up; and it would degrade those to whom we should say that children who wear finer clothes and who are better fed should not mix with them. The hon. Member quoted Mr. Forster in support of his contention; but free education has made many strides since Mr. Forster used the words which the Committee have heard read. Then the hon. Member told us that free education had proved a failure, and he quoted Prussia in support of his contention. First, he said the compulsory clauses had not been carried out in certain parts; then on being challenged

he reduced that statement, and I do not think the hon. Member can be much of an authority on education in Prussia, or he would have been more certain of his facts. He also mentioned the case of the United States. He pointed out that in the United States the attendance at free schools was 62 per cent, while in the United Kingdom it is 74 per cent. No doubt his figures may be correct; but here, again, he only told us part of the story. In the first place, in many parts of the United States compulsory attendance is not the law; and in some places where it is the law it is not enforced. Again, in many parts there is such a scattered population, that attendance is difficult in winter and bad weather, therefore, these and other reasons would account for the diminished average attendance in the United States as compared with the United Kingdom. The hon. Member did not mention Massachusetts; he said nothing about Boston, where attendances is compulsory and where the law is enforced. His figures represent the average for the United States, and are therefore misleading. I will not, however, go into details; I will content myself by pointing out that in the case of the nearest approach to Free Schools in this country—I refer to the Jew's school in East London where the average fee is only one halfpenny per week—there we get the highest rate of attendance in this country. In fact, the nearer we get to free schools, the higher is the rate of attendance. I have no doubt that where in the United States compulsion is the law—but is not—enforced, it might as well not be the law at all. The real reason which, no doubt, prompted the hon. Member to move the Amendment was the reflex action which must follow in England when free education has been given to Scotland. It is in the interests of the Church schools in England that the hon. Member spoke; in fact, he held a brief for the parson and not for those whom he represented in Salford. He admitted that if we adopted the fundamental principle of free education in Scotland it must travel to England, and I say that the sooner it is applied in both countries the better. It required a great deal of courage for the hon. Gentleman to move his Amendment, seeing that not a single Scotch Member

will support him. For an English Member to move such an Amendment against the interests of Scotland, and to be followed into the Lobby by English Members only, is a Parliamentary outrage. I consider it nothing less. I hope I shall never again have to speak on such an Amendment as this. When we made education compulsory, it was clear that in time it would also become free. That applies to England as well as to Scotland. English Members may succeed in holding the concession over until after the next General Election; but depend on it, if they do, the matter will constitute a plank in the platform of the candidates when the fight comes. It is admitted, I think, that, in past years, Scotchmen have been more generally educated than Englishmen; and yet we are told that, because we propose to place education within the reach of all the Scotch people, because it is to be free they will neglect it and lose their high position. No more absurd or outrageous argument was ever put forward in this House. I have very much pleasure in opposing the Amendment, and that pleasure will be enhanced if every Scotch and many English Members will rise to enforce, in much stronger language than I have used, the objections we entertain to this Amendment.

MR. GERALD BALFOUR (Leeds, Central): I am surprised to hear the hon. Member suggest that Scotch opinion has not been sufficiently consulted in this Bill. It appears to me that Scottish opinion has been studiously consulted, almost to the point of ignominious surrender. The hon. Member complains of the action of the hon. Member for Salford in moving this Amendment. I would remind the Committee that English Members have, for the most part, abstained from taking part in the discussion of this Bill, and have left it to be carried on almost entirely by Representatives of Scotland. But when an innovation so important as this is foisted into a Local Government Bill, and when a precedent is set which is almost sure to be quoted in favour of a corresponding change in England, it seems to me to be right and proper that English Members should make their voices heard. I have not observed that Scottish Members practise the same self-restraint with respect to English

measures which they seek to impose on us. The hon. Member for Salford, holding on this matter the opinions which he does, it was not only his right but his duty to give expressions to those opinions. With his views on Free Education I heartily sympathize. At the same time, I should not have supported him on this occasion had it not been for what happened an hour ago. I was unwilling to take up an attitude of *non possumus* in face of the apparently unanimous wish of the Scottish Members, and an hour ago I saw a way out of the difficulty. If the Government had not made this succession of surrenders I might have supported the Amendment of the hon. Member for Falkirk, which would have taken the sting out of the original concession. But the surrender of the Lord Advocate has quite revolutionized the position. What has happened up to the present time? The Lord Advocate has hitherto maintained that the proposal of the Government is not a concession of the principle of free education. Hon. Members opposite did not think it worth while to argue against my right hon. Friend's contention; they quietly assumed that the Bill did contain this principle. In my judgment they were perfectly right. The Government proposal was not merely to give relief in the matter of fees, but to remit them altogether. In the first three standards it is acknowledged that compulsion is not effective in the fourth and fifth standards, and that the majority of children do not go beyond the third standard.

MR. CALDWELL: May I explain to the hon. Gentleman that education is compulsory in Scotland up to the Fifth Standard.

*MR. G. W. BALFOUR: I am aware of that fact. I said that compulsion was not effective although it was legal. The inference I draw from that is that, according to the original proposal of the Lord Advocate, the majority of parents of the poorer class in Scotland would have been entirely relieved of school fees; and therefore the clause does contain the principle of free education. My hon. Friend used all his ingenuity to show that he was not making a surrender. I was reminded of the old controversy as to the authorship of the *Mass* and the *Odyssey*. A learned critic argued that they

were not the works of Homer, but of another gentleman of the same name. The Lord Advocate, in making the proposal, said it was not a proposal for free education; yet it came to the same thing, and the common sense of the Committee so interpreted it. After what has occurred to-night, even the Government must admit that this interpretation is correct, and that they have practically accepted the principle of free education in Scotland; and that being so, it seems to me to be incumbent on the English Members to consider jealously the proposal that has been made, because sooner or later a similar change will be agitated for in England. I do not intend to follow the hon. Member for Salford into his argument with respect to free education. For my own part, I do not consider that the application of compulsion logically or practically involves free education. I am, moreover, very sceptical as to the results of free education; and I foresee grave difficulties and complications in the attempt to introduce the principle into England. But what I do say is this, that it is neither right nor fair that so large and far-reaching a proposal should have been floated surreptitiously in on the wave of a Local Government Bill. What did the Government start with? With a proposal to relieve the rates. Then, in response to pressure brought to bear upon them by hon. Members for Scotland, they took away from the ratepayers a part of the money available, and applied it to relieve fees. Lastly, by their action to-night they openly accept the principle of free education, and so far from relieving the ratepayers, it appears the final result will be that the ratepayers will have to pay more than before. I do not suppose we have any chance of carrying the Amendment of the hon. Member for Salford; however, I shall vote for it, as a protest against the course that has been pursued. This is a matter which most of us have discussed with our constituents, and many of us are pledged against it. I hope the Government are proud of the position which they have made for themselves.

MR. FIRTH (Dundee): I think the hon. Member for Salford is to be congratulated on having the one supporter to go into the Lobby with him, for

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whom he sighed at the end of his speech. It appears, indeed, that the seeds of incipient rebellion have been sown on the opposite Benches by the action of the Government. The last speaker states that the proposal for free education which has been on the face of this Bill all these weeks is an innovation foisted into the Bill, and that it has been floated surreptitiously. He complained also of a succession of surrenders by the Government.

*MR. G. W. BALFOUR: I did not say that it had been floated surreptitiously into the Bill. I know it was contained in the Bill from the beginning. I said that the proposal was floated surreptitiously in on the wave of a Local Government Bill.

*MR. FIRTH (Dundee): The hon. Member did use the three words I have quoted, and if they did not express his meaning it is not my fault. Perhaps he does not deny he used the words "innovation foisted into the Bill." I do not, indeed, see much difference between foisting and floating. I think the hon. Member for Salford should have gone a little further when he told us that free education traversed the best principles of the Conservative Party. He ought to have told us what those principles were. Let me remind him, however, that politics is an advancing science, and that the Radical of to-day will probably be the Tory of to-morrow. Just as hon. Gentlemen opposite have from a hundred platforms denounced free education, so to-day their leaders have accepted it with open arms. It seems to me that on this side of the House we have reason to congratulate ourselves very much on this introduction of the thin end of the wedge; and English Members will be able to congratulate their constituencies and to accept the prophecy of the hon. Member for Salford as to the application of the principle to England. What, after all, is the object and aim of free education? It is that every child in the community shall be educated. I was certainly astonished that the hon. Gentleman opposite ventured to invoke American experience on this question. Nearly 100 years ago it was said to be as rare to find an American who could neither read nor write as to feel an earthquake or see a comet. I recollect, not many years ago, investigating very

carefully some of the educational systems in States on the East Coast and the West Coast of America. I particularly recollect that in the town of Boston out of 63,000 children in the schools no less than 52,000 were in free schools—infant schools, middle schools, high schools, and normal schools for the training of teachers, that is to say, education at its highest point! I was astonished to hear even from the hon. Member for Salford (Mr. Howorth) that the artizans would be unwilling, or that it was not desirable for their children to associate with the class below them. I suppose he would have society graded in much the same way as it is graded in India. If you go into the American schools, such as the high schools of Philadelphia, you will find the son of the artisan and the son of the clergyman and of the professional man side by side. In one of these schools I stood by the side of the master while he was questioning the children, and asked him, as the answers were given, what was the position of the parent of each child who replied, and I found there was an absolute fraternization as regards attendance at the school. The position which the State, I apprehend, takes up is that in its supreme wisdom it lays down the principle that every child ought to be educated for the advantage and security of the State, and in order to strengthen the guarantee for the preservation of the bounds of society. The question arises whether the State should say to the father—"You shall send your child to school and be deprived of the advantage of his labour, and yet you must pay for this privilege." With respect to truancy, my experience in the London School Board many years ago leads me to the conclusion that if we had a total abolition of fees we should have the children in much more extensive attendance as well as better fed. After all, if the parent has the money to feed the child, the end aimed at by the State—namely, the better education of the child—will be more readily attained. The hon. Gentleman said the Acts introduced into Scotland would extend to England, and he thus admitted that, in this matter of education, as in many others, Scotland leads the way. I am very glad the Government have bowed to the inevitable; and I think they and we are to be congratulated upon the introduction into this Bill of a

principle which, undoubtedly, the Division shortly to take place will show to be fully established in the law of England—a principle that will bring about a better and completer education in Scotland, and will enable the children to prove themselves worthy of the citizenship of the Empire.

SIR A. CAMPBELL: I think every one must have listened with interest to the speech of the hon. Member for Salford, but certain things he brought forward are not the case with regard to Scotland. From the earliest times there has been the greatest difference between England and Scotland, for Scotland has had the advantage of its parochial schools, where free instruction did not restrict attendance, and the results were so satisfactory that the percentage of people who could read and write under the parochial school system was found to be higher than in Germany. Under these circumstances, I think that in reverting to the old system we shall not destroy the education of the country, as the hon. Member suggests. I may say that the difference between England and Scotland is very great at the present moment. In England you have the new system grafted on the old one, and the result is that a certain amount of elasticity is given to the education such as we do not find in Scotland. I was one of those who bitterly opposed the cutting down of the old system of education in Scotland, because I knew what had been done for the people, and I was not certain what the new system might produce. I am very glad now we are going to return to a certain extent to the original practice in Scotland, and that in future people will not have to go to the parochial boards and be pauperised because they cannot pay the school fees. The amount of relief so given has risen from £10,000 to £30,000, and, therefore, the abolition of fees will be a great relief to the rates and a boon to a large class of people. As to education in the higher grades suffering, the rudiments are not higher instruction; but with the rudiment scholars can go on to higher education, and I have not yet heard that the possession of the rudiments has been a bar to such advance. Until children have the three R's they cannot, of course, obtain higher education. We are told that there will be a tremen-

dous mixture in these schools. There was a certain mixture in the old parish schools; but some of the best men of Scotland have come out of the old parochial schools, where they have rubbed shoulder to shoulder with poor and rich, and this fraternization is one of the main causes of the manly independence of the Scotch people. No doubt in large cities it may be found convenient to have graded schools; and I believe that in Glasgow, which has one of the most capable school boards in the country, there are schools in which higher fees are charged than in others. I am grateful to the Government for having intimated that they will take this question into consideration, and decide which schools should have relief and which should not. I believe this measure will be of great benefit to Scotland and that hon. Members who oppose it on the principle that it does not agree with their declarations must see that at all events, so far as Scotland is concerned, we are reverting to the old system.

*MR. C. S. PARKER (Perth): Although the Debate on this Amendment has run to considerable length I do not think the time has been wasted. However much the Scotch Members may differ from the hon. Members for Salford and Leeds, those two hon. Members have taken a right course in calling attention to the principle on which we are about to act. I think it would be unworthy of Scotland to initiate so great a change as that from the present system to one of gratuitous education without more discussion on the principle than we were able to have in the Debate on the Second Reading of a general Bill for Local Government. I think, therefore, those two hon. Members have done good service, perhaps at a little expense to their own feelings, in acting as candid friends towards Her Majesty's Government. I ventured on the Second Reading to remark that we were apparently, in the view of the Government themselves, as put forward by the President of the Local Government Board (Mr. Ritchie), going practically into this free education question without the Government so much as perceiving what they were doing. I do not think any good is to be got from going with eyes half shut into so great a

Mr. Perth

question. We ought, in the first place, to ask whether there is anything essentially educational in the transference of the burden of these fees from the parent to the ratepayer. I answer that there are some educational advantages, and first it is a great gain that parents should have to go no longer to the parochial boards for assistance in paying the fees. There is a second gain in regard to which I think we shall be almost unanimous—namely, that we shall relieve the teacher, whose hands are otherwise sufficiently full from the harassing duty of keeping a record of the fees, and looking up defaulters. Possibly also, there may be some good effect on school attendance. I hope there is some truth in what was put forward, I think in an exaggerated way, from the Treasury Bench—namely, that there is in Scotland a demand for education, and that if you relieve parents from fees for the lower standards, they may be encouraged to keep their elder children longer at school. But there are other more doubtful aspects of the question, and that is why I did not join in the round robin got up to place pressure on the Government to bring in this scheme. I thought it was better that there should be some debate on the principle before we all committed ourselves by putting our names on paper. The financial aspect of the question is very serious. Hitherto the financial resources of education in this country have been three—the taxes, the rates, and the fees, and at one time the contributions from each source were nearly equal. Before parting with all the income derived from parents, it would be wise and logical for us to consider what are the most pressing educational demands, and how they compare with the proposal for the total abolition of fees. It has been my lot to look closely into the educational question in Scotland, and I should like to mention one or two objects urgently requiring expenditure. There are about 1,000 small country schools in Scotland which have not a staff capable of keeping up the higher education formerly given, and at the same time satisfying the inspectors so as to earn the Government grant. It was represented to the Committee of which I was a Member that if £30 per school could be found by the Govern-

ment, to encourage contributions from local sources, enough might be done to put these 1,000 schools on such a footing that they could continue to give the old higher education of Scotland, and at the same time give the education required in the modern standards. It was also represented by highly competent educational authorities that if £40,000 could be applied in aid of the old high schools, which somewhat illogically have been put under the control of the School Boards and of the Education Department without being given any grant or any claim on the school funds, these old schools would be saved from falling into a lower grade, which is happening to some. Thirdly, there is a strong feeling amongst the working classes of Scotland that more might be done by a liberal expenditure on evening schools. I believe that all these three objects might be attained for, perhaps, not much more than one-third of the sum required to entirely free education in all the standards. Therefore before we commit ourselves as to how many standards we will free, we should consider what other urgent demands there are for expenditure on education. I know that this is an aspect of the question which has not presented itself to some of my Scottish Colleagues; but I entreat them to consider it before they decide to extinguish all school fees. Parents in Scotland take the keenest interest in the education of their children. We have it in evidence that in Glasgow and Govan they urge the School Boards to give somewhat higher education, and that when the question of fees is mentioned they say—"Never mind the expense: charge us a higher fee, we are quite willing to pay it." It seems to me that a source of income so natural should not be closed. I hope that, on the contrary, when we are sacrificing so much income from ordinary fees the Government may see their way to remove that limitation which embarrasses the finance of some School Boards—namely, the maximum average fee of ninepence. I also hope that the Government will bear in mind a matter which will be urged on them by the Glasgow School Board. They will find it is the deliberate and well-considered view of the Glasgow School Board that it would be well while giv-

ing to every parent a right to have his child educated free in the lower standard, to allow the School Board in a limited number of schools to charge fees. In Glasgow that would solve the financial difficulty which otherwise must be caused. The Government, in the hurry, supposed that if they gave the sum they first intended they would be able to free the first three standards. As a matter of fact, Glasgow would gain £17,000 and lose £22,000, leaving about £5,000 short. The Glasgow School Board say that if they were allowed to charge fees in a limited number of schools their finance would be restored, and out of the resources so obtained from the richer they would be able to lighten the burden to the poorer parents. I know the objection raised to such an arrangement is "we do not like these class distinctions." I agree it might not be a wise arrangement for country places and in all towns, but there are cities in Scotland—Glasgow is one and Dundee another—where you have so mixed a population that some such arrangement is to be desired. The Glasgow School Board have already at work as many as five different grades of schools, with different fees. This difference in the fees has arisen in the most natural way—chiefly owing to the special wants and previous habits of each district. Lastly, if we can afford to have free education, which I am in favour of, in common with my colleagues, we should do it to stop at the 3rd standard. We should try to carry out the principle and extend it to all the compulsory standards. But, on the other hand, in the large towns we should leave the School Boards free to work their own finance by having a limited number of fee paying schools, for those who may prefer them.

*MR. SHAW STEWART: I appeal to my hon. Friend to withdraw his Amendment. Perhaps my appeal may come with a little more force to the hon. Member when I say that in my judgment free education in the abstract is not a good thing. I sympathize very much with the hon. Gentleman the Member for Leeds (Mr. G. Balfour) when he said he regretted that this question of free education should have been floated in on the wave of a Local Government Bill. When I had the

honour of contesting a Scotch constituency in 1885 I did what I could to speak against Free Education because I am in favour of every man being as independent as possible of the State, and I confess that I fear that free education will tend to undermine that independence that I hope will ever be a characteristic of my countrymen. But I intend to support the Government for this simple reason, that they, in looking about for the best way of relieving the pressing burdens of the people, could look in no other direction than school fees. It is well known that the rates are not the most pressing burdens in Scotland, and the Government therefore were bound to address their efforts to relieving the burden of school fees. I hope that English Members will realize that whether we in Scotland are in favour of free education or not, we are all agreed on this point—that school fees are the most pressing burden, and the Government have no alternative but to apply this money to their relief. On this ground I do hope the hon. Member for Salford will withdraw his Amendment. I am sure no Scotch Member will regret that English Members have taken part in this interesting discussion, but with this discussion I think my hon. Friend might be satisfied and withdraw his Amendment.

MR. MUNDELLA: I should not have intervened but for the speech of the hon. Member for Salford (Mr. Howorth). When an English Member takes part in a Scotch Debate and attempts to controvert the opinions expressed by Scotch Members on both sides, then I think that I, having had some experience of Scotch education matters, having administered the Education Department for five and a half years, may venture to trouble the Committee. I should not like the speech of the hon. Member for Salford to go forth uncontradicted, not only because of its effect in Scotland, but also because of its effect in England, and because I recognize as fully as any hon. Member in the House that what we are doing for Scotland we shall some-

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day, and I hope very soon, have to do for England. I am quite frank about that, although the hon. Baronet opposite (Sir Richard Temple) seems to think that is a very serious question. I confess I have a great deal of sympathy with the hon. Member for Salford, who has spoken with his usual evidences of sincerity, his usual urbanity, and courtesy, and no doubt he has placed before the House the very best case he could against free education. He has exhausted all the old reasons and he has added some of his own, which I have not heard before. I will endeavour to reply in order that the matter may be put fairly before the House and the country. The hon. Member lamented that the Party with which he was connected was parting with some of its best traditions. Well, the hon. Member has been but a short time a Member of this House; he has sat not for a very long time behind Her Majesty's Government. But I can assure him that the longer he sits there the more frequently will he have to part with some of his traditions; and I am quite sure that in doing so his Party will derive considerable advantage, and the country will be greatly benefited. That Party never parted with a tradition at a more opportune time than now in conferring what practically amounts to free education on Scotland. After the courteous concession made by the First Lord of the Treasury in the early part of the evening, I suspect the Government will be prepared to put enough money in the hands of Scotchmen to free education in all the compulsory standards, and will be ready to supplement that in order to make education entirely free throughout Scotland. Now, the hon. Member for Salford said he had considered this question of free education thoroughly, and that he found it mischievous in all its aspects; and he added that as an experiment it had proved an absolute failure. I am astounded at the auda-

city of this statement. The hon. Member quoted from Matthew Arnold, and upon that I have something to say. I had the honour of the friendship of Mr. Matthew Arnold for many years; and it was my pleasure to have almost daily intercourse with him during the time I was at the Education Department, and I know his views upon free education. When I was at the Department there was no man more opposed to free education than he was, and his views on free education are to be found in his Reports between the years 1880 and 1885. During the time I was at the Department nothing could be stronger than his protests against it; everything the hon. Member for Salford has advanced Mr. Matthew Arnold stated in that clear forcible style of his which made him such an effective critic, and made his writings so delightful to the reader. I had five and a half years of experience, and during that time had, as Vice-President, to defend myself against Motions in favour of free education, sometimes from Scotch Members, sometimes from English Members; but I was unable to budge in the least degree, because I had a Chancellor of the Exchequer behind me; yet the whole of my experience during that time went to show that free education was necessary and inevitable. In 1885 almost the first Act of Her Majesty's Government was to appoint a Royal Commission to enquire into the state of education for the blind, the deaf and the dumb, and I was appointed a Member of that Commission. I spent three months going through Europe enquiring into the condition of these afflicted classes, and at the same time I took the opportunity thoroughly to satisfy myself as to the working of free education in the countries I visited. I can well remember too that during the election of 1885, and I mention this that the hon. Member for Salford may know that the traditions of his Party are not quite so strong as he supposes, I remember I say that there was a Chancellor of the Exchequer who went to Birmingham, and there made a speech in favour of free education. Afterwards there was a great outcry of the Conservative party against free education, and the noble Lord wrote a letter to say that he thought that at all events fees should

be limited in elementary schools to a penny a week; but this was after he had made a capital speech in favour of free education. Now, during the election of 1885, I received a letter from Mr. Matthew Arnold in which he said—

“You have startled me with your views on free education. I am to be sent by the Government to follow your footsteps, and I want to know where you have been? Where are these free schools of yours?”

Well, I wrote and told him fairly where I had been, and what I had seen, and he made his inquiries. But does his Report support the views of the hon. Gentleman opposite? I said to Mr. Matthew Arnold—“You will have a great deal to unsay, a great deal to unlearn.” Now, the object of his inquiry was to ascertain the state of elementary education in Germany, Switzerland, and France; he had first to inquire as to the quality of the free education given; then as to the efficiency of the teachers, and the attendance at school. Now, if free education is a failure, how came it that Mr. Matthew Arnold has reported that our education is so much inferior to that of those countries where education is free? How is it that he reports that the attendance in England is inferior to the attendance at free schools on the Continent? He says, as the result of his inquiries at Lucerne, that within the period of the establishment of free education attendance has more than doubled; and he says that from time to time he visited schools where the masters answered him that for 10 years there had not been a case of a single summons for non-attendance. He went to a school at Zurich, and he found all the children present with the exception of two, who were suffering from fever. There is not a word here to show that free education has failed. Every reference that Matthew Arnold makes goes to prove that education in these free schools is excellent, and far superior to anything we can attain to here. When the hon. Member speaks of the education at Salford, I wonder whether he would like a comparison between the education in Zurich and that in Salford. There is free education in Zurich, but it is infinitely superior to the education we are offering in Salford. I remember when at the Education Department that it was with the

Mr. Mundell:

greatest possible difficulty that we raised the half-time standard at Salford above number two. There is no more comparison between the education in Zurich and the education in Salford than between the sun at noonday and a farthing candle. I only wish the hon. Member for Salford would go through the Zurich schools and convince himself. The hon. Member then spoke of America, and he said the attendance there was 62 per cent, whereas in England it was 74 per cent. Yes; but he forgot to say that education in America, except in two or three cities, is not compulsory at all, and the attendance in rural districts is so small that it brings down the average enormously. But in Boston the average attendance is 94 per cent. What schools are best attended in England? The school that has the highest average attendance, and the poorest school in this Metropolis, is the Jews Free School. 3,400 children attend, children of the poorest parents, who hardly know a word of English, and speak in a *patois* the teachers can scarcely understand. What schools are the best attended in Scotland? The free schools of Edinburgh, where the average attendance is 95 per cent, while throughout the rest of Scotland it is 75 or 76 per cent. Surely that is some evidence of the effect of free education. What is the condition of things now in Scotland? I know that during my experience of the Education Department two things were going on side by side in Scotland—an increasing number of children were being brought into contact with pauperism, and children were passing out of the schools at an earlier age every year. Take the last Report of the Scotch Education Department and you find the same thing indicated, that there should be 100,000 more children on the register than there are. Look at the statistics of attendance at various ages and see how the numbers fell off as the children increase from seven years to 12 years, and you see there is a steady waste; and the disappearance of children from school at an early age is no doubt largely due to the higher fees as the children rise in standards. Now, the hon. Gentleman, among other statements, said that though according to the Constitution of Prussia education was free, it was not so in fact. It is quite true that under one Article

elementary education it is declared should be free; but then under another Article the application of this principle is left to the decision of the Local Authority. It is only within the last few years that it has been taken to by the authorities, and free education is now rapidly extending in Prussia. The hon. Member shakes his head, but I can assure him that is so. 12,000 children now enjoy free education in Berlin. I had the advantage of consulting the German Minister of Education, and I visited the schools with the permanent Secretary to the Education Department. I only wish we could see such schools in London. Notwithstanding all the efforts of the London School Board, to which I pay a high tribute, we have nothing to compare with the results of free education in Berlin. I conversed with the teachers, and I can assure hon. Members I did not make the visit with my mind made up; I took the part of the "devil's advocate," and said all I could say against the system in order to get the defence. The advantages, according to the teachers, were better attendance, less trouble in securing attendance, no difficulty about keeping accounts, no trouble to enforce payment, less expense of management, in fact, there was no comparison between the two systems—free education and fees. I do not see how, in the face of facts like these, the hon. Member can object to this extension of free education to Scotland. I was glad to hear the speeches from Scotch Conservative Members in favour of this principle. I once said in this House that if I could be born again I would be a Scotchman, and I am bound to say that the gifts of shrewdness and common sense with which Scotchmen are endowed encourage me in that view. The hon. Member for Salford finds an objection in the fact that the children of the clerks and artisans, if sent to school with the wretched outcasts from the streets, would of necessity contract vicious and dirty habits. Now, I can tell him my experience in Munich. There I called upon our Consul and learned what I could about the system of free education there. This Consul in Bavaria is well-known at the Foreign Office, a gentleman with the good English name of John Smith, who has married and

settled in Munich. I put the same objection as the hon. Member, when the Consul said his children were educated at the free school, and he said no distinction was made at the schools, the children of rich and poor meet together, and not more than 1 per cent of the population sent their children anywhere else than to the free schools. When I put the difficulty of children learning bad habits, bad manners, bad language, and contracting diseases, he said the middle classes, when they send their children to school, take care of all these things. We have no such difficulties here, he said. First, there is the notification of diseases required, and children are not allowed to attend school if there is any disease in their homes, and then there is a school society that looks after the children so that you cannot distinguish in the schools the rich from the poor. The system of self help prevails. All this is very astounding to an Englishman. I remember at Lucerne a Member of Parliament told me he sent his children to be educated at the free school, and in fact there was no support for a private teacher, I visited a high school for girls there, and I heard a professor giving such lessons in mathematics as I never heard before given in such a school, and I remarked to the teacher, "You have no poor children here." Then I was assured that I was mistaken, and I was told what great things these free schools had done for the country, how free education had made the rich and poor sympathize with each other; and it was mentioned that there were five poor children in the school for whom there was daily competition among the other scholars as to who should take them home to dinner. These are some of the advantages of the system. I see some Members opposite smile; but let me remind them that this was the practice in Scotland in the old time, a practice which I hope will come again. It is the true democratic system which teaches mutual respect between rich and poor. I cannot allow this statement of the hon. Gentleman to go forth uncontradicted—that free education has been tried throughout Europe and has failed; or that it has been tried in America and has failed. A reference to the Technical Education Commission Report, one of the best documents we

Childers.) I do not know how far the principle of the solidarity of the Government is admitted in these days; but I have never before heard one Member of the Administration get up and say that he was prevented from carrying out his convictions by one of his own Colleagues.

MR. MUNDELLA: I said nothing of the kind. I said just the reverse. What I stated was, that during my whole career at the Education Department the idea was slowly growing up in my mind that free education was inevitable.

*MR. A. J. BALFOUR: I do not recollect the right hon. Gentleman making that remark. I have no doubt he made it, if he says he did; but, at all events, he spoke of having defended his policy at that time against the advocates of free education, and of having had behind him an economical Chancellor of the Exchequer. I now leave the question of the right hon. Gentleman's consistency and turn to the question whether Her Majesty's Government have changed their opinions, which is the material point. The whole burden of the interesting and able speech of the hon. Member for Salford (Mr. Howorth) was that the Government had conceded the principle of free education for Scotland; and my hon. Friend and Relative, the Member for Central Leeds (Mr. G. Balfour), said that free education had been floated in surreptitiously on the wave of a Local Government Bill. Now, Sir, I frankly admit that if the Government had really done what they are accused of having done, if they had accepted the principle of free education for Scotland on the spur of the moment, in the course of a discussion in Committee upon a Local Government Bill, they would have given just cause of complaint to a large portion of the Conservative Party, who have over and over again stated that they object on principle to free education. But I do not admit that the Government

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have done this. It must be observed that there are two main objections to free education. An educational objection and a rating objection. As regards the first we have to ask ourselves how free education will affect school attendance, a question, not of principle, but a question to be determined by the educational ideas and feelings of each community. The hon. Members for Leeds and Salford do not sufficiently consider the traditional desire of the whole Scotch population for education. There may be countries in which education will not be promoted by being given for nothing; but I do not think Scotland is one of them. I believe that the ingrained love of the Scotch people for education will protect it against that danger. The only result of making education easy will be that more Scotch parents will take advantage of it. As regards the second objection, the hon. Member for Salford argues that the Committee are asked to commit themselves to a large and indefinite expenditure which cannot be limited to primary schools, but must be extended to secondary schools. But I would point out to my hon. Friend that the Government are not committing themselves to a principle which will require indefinite expenditure in the future, but they are giving a specific sum, allocated out of the Imperial Exchequer, for Scotch purposes. The hon. Member expresses his strong dislike to acknowledging any abstract metaphysical right in a parent to have his children educated for nothing. Of course, I admit there is no such right; no man has a right to say that he chooses to have a large family, and because he has one the State or the locality must bear the cost of their education. That is a principle not accepted by Her Majesty's Government, nor, I believe, by the greater number of those who sit on the Ministerial side of the House. I absolutely deny that we are opening up a vista of indefinite expenditure; and those who say so misunderstand the proposed concession of my right hon. Friend the Leader of the House. The general result of what has been done is that whereas we originally said we would give £200,000 towards lessening or abolishing school fees, we now give

have not promised to give more than the £220,000. We have only promised to give that amount of money under an arrangement which, to the best of our ability, will go in the direction of relieving the poorer classes from the payment of school fees. I maintain that this concession is not giving free education. To give a particular sum, previously allocated to the relief of local taxation, to the diminution of the cost of education is in no sense committing the Government to free education in Scotland or in England. No doubt the original plan was to give this money in relief of rates; but the ratepayers of Scotland themselves, as far as we had any power of gauging their opinions, said they would rather it was given to aid education. We accepted that, and the original plan has been modified still further in the same direction by expressions of opinion from Scotch Members on both sides of the House. But the original intention remains unimpaired. It was always intended to give this money to the relief of Scotchmen in the manner most agreeable to Scotchmen; and the manner which proved to be most agreeable was that it should be given in aid of schools. We, however, do not commit ourselves to any increase of the sum in case it should prove inadequate, as it may prove inadequate to free all the compulsory standards. We commit ourselves to no general proposition that a deficiency, if deficiency there be, shall be filled up either from the Imperial Exchequer or the local rates. We acknowledge no right on the part of parents to get their children educated for nothing. And that being the case, I absolutely deny that in any sense we have committed ourselves to the principle of free education. I thought it necessary to make these remarks, because the whole of this debate appears to have turned upon what we regard as a total misconception of the policy of the Government, and it was absolutely necessary that some Member of the Government should correct that false impression.

SIR G. TREVELYAN: I think the right hon. Gentleman has stated the case in a very fair manner, and has recalled the Committee to the

tone in which this question ought to have been discussed. I am quite sure that every member who is present to-day will draw a lesson of hope as regards the future. They will see how very quietly and pleasantly a great controversy can be settled in a single evening after causing much bad blood for a long period of time. It appears to me to be very unfair to taunt the Government with having given way, and especially for hon. Gentlemen to do so, who, if they had attended the Debates in this House on Scotch affairs as they have very freely attended the Divisions, must have noticed that what has happened to-night has not seriously changed the situation which has been confronting the House of Commons for a month. The Lord Advocate stated in the most complete and frank manner on the introduction of the Bill that the Government were prepared to accede to what was the all but unanimous voice of Scotland, as represented by its Members, on the question of devoting Scotland's share of the Probate Duty in the main to free education. The history of this question is the most remarkable I ever remember. One hon. Member, as far as I know, has the entire credit of what has been done. He canvassed his colleagues and through them canvassed the Scotch nation, and the Scotch nation decided in a day in favour of free education. The Government have now conceded to the wish of almost the united body of Scotch Members, and are going to devote the major part of this money to free education. Well, what has happened to-night? What has happened to-night is that we have had a bit of Home Rule. The Government acting as a Government have yielded to the wish of the Scottish nation. I am not going to draw any extensive lesson from that; and I may say I am not sure that because Scotland is ripe for free education, free education in England is a thing of to-morrow. I do not think it necessary to argue that point. What we are proud of is that as a

Parliament we have got free education for Scotland to-day. The only point on which I differ from the right hon. Gentleman is that he has put such limits on what we are doing for Scotland in the course of this Session. He says that only the limited sum named is to be given for free education in Scotland. We have already got 2225,000, and when we come to Clause 28, relating to the Probate Duty, we shall seek to get the whole of that Duty, and to obtain such an increase of the grant as will cover all the compulsory standards of elementary education, with the exception possibly of a few thousands of pounds which, now that free education is once conceded, it is quite plain Parliament must find in some way or another. It appears to me that this is a very good night's work, and I think we should stop it by trying to make it a matter of Party triumph. We admit that the Government have treated us well, but we deserve to be treated well, for we have done a great work for Scotland in the past, and I now congratulate the House on the prospects of the future.

MR. S. WILLIAMSON (Kilmarnock). I think we are all greatly indebted to my right hon. Friend the Member for Sheffield (Mr. Mundell) for his valuable contribution to this discussion on free education, and I do not think that the remarks of the hon. Member for Birkenhead (Sir E. Hamley) detracted one iota from the force and weight of that speech. The right hon. Gentleman the Chief Secretary to the Lord Lieutenant spoke of the speech of my right hon. Friend as an autobiographical speech, but to my mind autobiographical speeches giving the results of personal experiences and investigations are often the best speeches we can have on matters of practical administration. The proposals of her Majesty's Government in regard to free education have been discussed by hon. Members opposite on the ground of principle, but since the introduction of the Bill up to this very evening not a single note of dissent has been heard from those on the benches opposite with regard to these proposals on

the score of principle. It is too late now for a determined opposition on that ground, and I sincerely hope that the English Members, who may be opposed to free education for their own country, will, at least as regards Scotland, allow the wishes of the Scotch Members, supported as they are to a large extent by the Government, to be carried into effect. Scotland wants free education, as far as that education is compulsory, and we think the wishes of the Scottish people ought not to be thwarted by the English Members, many of whom in persistently voting against the views put forward by the Scotch Members, have probably done so contrary to their own better feeling and sense of what is right. I would urge upon hon. Members opposite that it will be most unwise on their part to continue their opposition to this proposal, because by so doing they will be tending to convert the whole of the Scottish people into a band of Home Rulers, a result which, viewed as a matter of principle, would be far worse for them than the contemplation of that free education which is so much wanted in Scotland.

*SIR R. TEMPLE (Worcestershire, Evesham). I feel bound to state my own position as an English Conservative upon this question—a position which is largely shared by my colleagues on these benches. The Government have been kind enough to explain that the tendency of this clause is not really towards free education in Scotland; but the question is how is the matter understood by hon. Members opposite, especially by the Scotch Members, and a certain portion of the English Members who agree with them? I have carefully listened to all that has been said during this debate, and I understand that this clause does, in the estimation of hon. Members opposite, amount to a recognition by Her Majesty's Government and by this House of the principle that it is good for those who are not absolutely poor to have their children educated at the public expense without the

See p. 120, col. 2.

payment of any fee whatever. That is a principle against which we Conservative Members have persistently protested. I myself have made repeated declarations against free education to my constituents during my election, and those declarations I have renewed at meetings which I have since attended; and I must add that, when I made those declarations, I believed I was speaking and acting up to the principles of that great Party to which I am proud to belong. There is no more loyal Party man on this side of the House than I am; nevertheless, when I come to choose between Party allegiance on the one hand and my own declarations on the other, I am bound to stand to my declarations. I ask my Parliamentary comrades to take warning from what has fallen from the right hon. Gentleman the Member for Sheffield to-night. He is a great educational authority, and he has distinctly told us to-night that the future policy of the Party opposite is to be the introduction of this principle of free education into England. Then I would remind the Government not only on my own part, but I venture to think I may also speak for hon. Members around me, that when this wedge which has been inserted on behalf of Scotland comes to be applied to England we intend to resist it. The principle of most of us on this side of the House is that of *principiis obsta*. Let us, on this occasion, register our protest against the policy embodied in this clause, so that, hereafter, we may derive what moral force that protest may give us when the case is brought nearer home. If we do that then we shall have a chance for success in the coming contest, if it shall ever come. But if we flinch now we shall deservedly lose any chance which we might otherwise have.

*MR. W. P. SINCLAIR: I have no fault to find with the speech of the right hon. Gentleman the Member for the Bridgeton division of Glasgow (Sir G. Trevelyan) except so far as he claimed the result of to-night's proceedings as "a bit of Home Rule." I venture to say he misdescribed our proceedings in that allusion, and that what

is being done is rather a bit of anticipatory Local Government. We havenow, I hope, obtained a hold, not altogether on free education, but to the extent of free education in the compulsory standards. But my object in rising was to call attention to the position of Scotland in regard to the present expenses of education. In answer to a question put by me on the 24th of last month, the Lord Advocate gave approximate figures as to the cost of education in each of the five compulsory standards, the result being that for infants the sum expended was £37,000; in Standard I., £38,000; in Standard II., £42,000; in Standard III., £50,000; in Standard IV., £66,000; and in Standard V., £48,000—the total amounts being £281,000, a sum which the Lord Advocate considered to be over the mark, giving it approximately at £265,000. The net result of what has been done is that we have carried out the Government plan of making the first three standards free, and we only now want a sum of £22,000 to clear all the compulsory standards. That will be but a small amount to take from the rates, supposing we do not get it from the National Exchequer; and I am sure the people of Scotland will not grudge such a sum in return for the great advantage of freeing the whole of the compulsory standards.

*MR. H. DAVENPORT (Leek): It will be remembered that at the Election of 1885 an authorized programme, published in the *Times*, of September 18, 1885, was issued to the Liberal Party, and in a paragraph relating to gratuitous education the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) put forward all the standing arguments against free education. The right hon. Gentleman stated that anything which cost nothing was not valued by the recipients, and that the State ought not to do for an individual or a class what they ought to do for themselves, that the action of the State was not to be preferred to that of the great religious communities—that free education was incompatible with definite religious

at the time were giving free education to some 6,000 children. The right hon. Gentleman introduced a Bill for the revision of educational endowments, under which the Heriot Free Schools were put an end to altogether. My right hon. Friend stated that if he were to be born again he would be born a Scotchman. Well, since the year 1881 he has been born a Scotchman, in spirit, if not in flesh; and I sincerely congratulate him on the great advance he has made since the period I have referred to.

SIR A. ORR-EWING (Dumbarton): I am quite sure that the Scotch Members generally will thank the Government for the course they have taken in regard to this question, and I am perfectly certain they will never have cause to regret it. I do not think, however, that the hon. Member for the Hawick burghs (Mr. A. L. Brown) fairly represented the feeling of the Scotch Members when he put it that by compelling the working man to send his children to school they were imposing a heavy burden on him. It is my belief that the people of Scotland have a far higher appreciation of the value of education than that, and that they are proud to be able to educate their children in a manner fitting them for the positions they have to fill in after life. I should not have supported this measure had it not been that Roman Catholic and Presbyterian Schools are placed on exactly the same terms. If schools in England are all put on an equal footing, I take it that the people of England will not refuse to accept a similar measure.

***MR. MARK STEWART:** As one of the few Scotch Members on this side of the House who issued an election address in 1885 which expressed an opinion in favour of free education, I wish to say that I am heartily glad that the Government have taken the action they have done to-night. The question must be looked at from a practical point of view. In the case of poor parents at present it is almost impossible to get convictions for non-attendance at school in Scotland, except in particularly bad cases. I hope

that the educational provisions of this Bill will give a great impetus to higher education; and, again, I say I heartily congratulate the Government on having followed the principle they have laid down in their Bill.

***SIR ROPER LETHBRIDGE:** I desire, as an English Member, to point out to the Committee that the application of public money in the direction of free education which has been proposed by Her Majesty's Government, is in accordance with the unanimous opinion of the Scotch Members in this House. When the hon. Member for Glasgow and other hon. Members opposite twit Conservative Members with a change of opinion on the question of free education, I reply to them that it is simply owing to their own fallacious use of the term "free education," for the proposals of the Government are strictly limited, in the first place, to Scotland, and, in the second place, to a certain fixed contribution. They are also limited to the compulsory standards; and, further than this, care has been taken that no injury shall be done to denominational schools; as the proposals of the Government insure that no injury shall be done to denominational schools. Again, I hold that these proposals take away that which is distinctly a blot on our present educational system; I refer to the necessity that is now imposed on the poorest parents, who cannot afford to pay the pence for their children's education, of going to the Guardians of the Poor in order to obtain relief. They are compelled to send their children to school, and at the same time they are compelled to pauperize themselves by going to the Guardians. This, I think, should not be the case; and therefore I most heartily support the proposals of the Government.

The Committee divided:—Ayes 245; Noes 52.—(Div. List, No. 197.)

***MR. W. P. SINCLAIR:** The effect of my Amendment would have been, assuming that the amount at the disposal of the authorities for the relief of the payment of fees was not sufficient to cover all the compulsory standards,

that the money should have been devoted to the relief of rates in the higher rather than the lower standards. But the Government have already conceded so much to Scottish feeling and sentiment that I confidently trust that they will be found of the same mind on the Report stage as they are at present. Under the circumstances, I will accept the assurance of the Lord Advocate that he will consider this point before the Report stage, and therefore do not propose to move the Amendment which stands in my name.

MR. J. P. B. ROBERTSON: I may remark that the question may or may not become important, accordingly as the Government decide on other points.

DR. CAMERON: I do not think that anything would be gained by proceeding with the next Amendment which stands on the Paper, and I therefore beg to move to report Progress, and ask leave to sit again.

Question, "That the Chairman do report Progress, and ask leave to sit again," put, and agreed to.

Committee report Progress, to sit to-morrow.

AUDIT (ARMY AND NAVY ACCOUNTS) BILL. [No. 314.]

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. BLANE (Armagh, S.): I do not think that this Bill ought to be read a second time without an explanation from the Government as to its provisions. I therefore move that the Debate be now adjourned.

Motion made, and Question proposed, "That the Debate be now adjourned."
—(*Mr. Blane*.)

MR. W. H. SMITH: I hope that the House will not adjourn the Debate. The Bill is simply to enable the Comptroller and the Auditor General to audit certain accounts which he has not the

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power to do, and I trust that the House will give the necessary authority.

MR. SEXTON (Belfast, West): I hope that my hon. Friend will not persist in his Motion. At the same time, I may point out it would have been more convenient if the Secretary for War, in the first place, could have given the information which the First Lord of the Treasury has now given under pressure.

THE SECRETARY OF STATE FOR WAR (MR. E. STANHOPE, Lincolnshire, Horncastle): My name was not on the back of the Bill, and therefore I could not intervene.

Motion, by leave, withdrawn.

Original Question put, and agreed to.

Bill read a second time, and committed for to-morrow.

LAND LAW (IRELAND) ACT (1887)
AMENDMENT (LEASEHOLDERS) BILL
(No. 31.)

Order for resuming Adjourned Debate on Second Reading [4th April] read, and discharged.

Bill withdrawn.

ELEMENTARY EDUCATION (ENGLAND AND WALES) BILL. (No. 303.)

Order for Second Reading read, and discharged.

Bill withdrawn.

GLEBE LANDS OCCUPATION BILL.
(No. 62.)

Order for Second Reading read, and discharged.

Bill withdrawn.

MOTION.

JESUS COLLEGE, OXFORD (MEY-
RICK ENDOWMENT).

*MR. STUART RENDEL (Montgomeryshire): I beg to move—

"That an humble Address be presented to Her Majesty, praying that she may be graciously pleased to withhold Her consent to the Statute made by the Governing Body of Jesus College, Oxford, on the 2nd February, 1889, amending the Statute of the College concerning the Meyrick Endowment."

It is within the knowledge of every one interested in Welsh educational affairs that the important Meyrick Endowment in connection with Jesus College was remodelled under the Universities Acts. The settlement thus made by the Universities Commission and confirmed by the Act of 1887 is recorded in the Statutes of Jesus College, and was stated fully by the Departmental Committee of 1881, over which Lord Aberdare presided. It has unfortunately happened that a sum of £20,000, which should under this settlement have been dealt with by the Charity Commissioners for the benefit of Wales, has not been so dealt with. That sum has now gone to Jesus College, to which it does not morally belong, and it has gone to purposes for which it was never intended by the Universities Commission, and it is with the view of securing that the money shall be maintained intact for the purposes for which it was intended that the present notice of opposition has been given. If we can only receive an assurance that there is no intention whatever of encroaching upon the income or *corpus* of the £20,000, my hon. Friends from Wales and myself will be quite ready to accept it.

Motion made, and Question proposed,

"That an humble address be presented to Her Majesty, praying that She may be graciously pleased to withhold Her consent to the Statute made by the Governing Body of Jesus College, Oxford, on the 2nd of February, 1889, amending the Statute of the College concerning the Meyrick Endowment."—(*Mr. Stuart Rendel*).

**SIR J. MOWBRAY* (Oxford University): I hope the House will not assent to the Motion proposed by my hon. Friend. It is in the interest of education in Wales that this Statute has been passed by the college. The hon. Gentleman says that the money does not properly belong to the college. In that statement the hon. Gentleman proceeds in the assumption that the Charity Commissioners did not do their duty in respect to this sum. As a matter of fact they made no order about it, and the legal right to the money is in the college,

and was confirmed by the Court of Chancery. The hon. Gentleman also agrees to withdraw his Motion if an assurance is given that there is no intention of encroaching further on the fund. The charge of £200 a year for a Celtic library is not a charge on this or any other fund. The Statute was passed for the promotion of a Celtic library, and I am persuaded hon. Members from Wales will agree that the promotion of Celtic study will be really advantageous to the people of Wales. I suppose the hon. Gentleman would rather there were scholarships or exhibitions. Let me take three distinguished Welshmen in the House as examples of the benefit which might be afforded by this Celtic library. The hon. Member himself was a member of Riel College, the right hon. Gentleman the Member for Denbighshire (*Mr. O. Morgan*) was a member of Baliol College, and the hon. Gentleman the Member for Merionethshire (*Mr. T. Ellis*), who had done himself so much credit by the honours he took at Oxford, was a member of New Clare. They did not go to Jesus College, the national Welsh College; but what an advantage it would have been to them if they had been enabled to avail themselves of the opportunities afforded by this Celtic library within the walls of Jesus College. So far from this being a local object, it is a general object. It is intended for the benefit of education in Wales, and I hope the House will not interfere with it.

MR. T. E. ELLIS (Merionethshire): At the time the University Commissioners sanctioned the change in the Statutes of Jesus College, this £20,000 was, to a large extent, compensation for changes made in the constitution of the college. At that time Jesus College was open not merely to Welshmen, but to others. No part of the £20,000 was laid by in order to enable Welshmen to be educated in Wales, and so educated as to be able to avail themselves of education in the University. It seems to me that to enable Welshmen not merely to study the mysteries of Celtic literature in the

library of Jesus College, but to go from Wales to the various colleges of the University is the greatest help that can possibly be given them. The argument of the right hon. Gentleman can very well be turned against himself. It is rather remarkable that Jesus College, which is supposed to be a completely Welsh College, has not one of its own members in this House representing any Welsh constituency, whereas several hon. Gentlemen, who have been educated in other colleges, are the Representatives of Welsh constituencies. Since the right hon. Gentleman has been kind enough to refer to myself, I may give him this experience, that the greatest help which the University or this House can give to Welsh boys is to give them good schools in Wales from which they can go to the University. I am afraid that the requirements of the schools are such that very little time, indeed, is allowed for the ordinary undergraduate to go into anything that he is actually required to go into. It is very little time any fellow-countryman of mine can give to the mysteries of the Celtic language until he has got his degree in some of the other schools. This is really a case in which the Charity Commissioners and Jesus College have, either by intention or accident, broken faith with Wales. A distinct promise was made by the Governing Body of Jesus College to the University Commissioners and the Charity Commissioners that this £20,000 should be put by in order to promote and develop education in Wales with a view ultimately, of course, to enable young Welshmen to go to the University of Oxford. Through the neglect—the shameful neglect—of the Charity Commissioners, this £20,000 has, it seems, lapsed again to its old control. This House, by sanctioning this scheme, would be sanctioning a breach of faith with the Welsh people. I even go further. It seems to me that Welshmen have a claim not merely on this £20,000, but on the interest during the last eight years. For eight years we have been deprived of the income from the £20,000, and after eight years'

Mr. T. E. Ellis

suffering the only consolation we get is to be robbed of the £20,000 itself.

*MR. J. G. TALBOT (Oxford University): The hon. Gentleman is desirous that this fund shall be apportioned in a particular way. This fund is at the absolute disposal of Jesus College, and they propose to distribute it in another way. That way may not be, in the opinion of hon. Gentlemen, the best conceivable way; but surely that is not the question for the House to determine. The question to be decided is whether Jesus College has allocated the money in a manner which is consistent with public policy. No one can say that the establishment or enrichment of a public library in the college is not a very desirable object. That may not be, in the opinion of hon. Gentlemen opposite, the best object to which to devote the money, but surely it is dangerous for the House of Commons to enter into such a question. The House would be stepping out of its province and embarking on a very wide field of legislation if it were to go behind the backs of the Corporation, who have control over this Fund, and say how the money is to be spent. What we say is that Jesus College has this fund at its disposal; that it has a right to dispose of it in the way the Statute points out. I do not for a moment complain of the action of hon. Gentlemen opposite; but I maintain that the balance of the judgment of the House ought to be on the side of college in having framed its Statute rightly, and in having devoted this money to a purpose which no one can deny is a very enlightened one.

MR. BRYN ROBERTS (Carnarvonshire, Eifion): We object to the mode in which Jesus College thinks it right to apply this money. There was an understanding, which is recorded in the correspondence between the Charity Commissioners and the University Commissioners in 1881, that this money should be applied in the interest of education in Wales. By some means or other that money has been devoted

to another purpose. We do not deny it is within the legal right of Jesus College to apply this money in the way proposed, but we most positively deny that it is within its moral right to do so. We say it is by the violation of the moral right that they have got the legal right.

*MR. STUART, RENDEL: I regret to trouble the House again, but I was really not prepared for the official resistance which has been made to the Motion. This is rather a peculiar case. The fact is that under the Meyrick Endowment Statute forming part of the existing Statutes of Jesus College, £20,000 was distinctly reserved for the benefit of education in Wales, and was declared to be not included in the endowment of the College. Under the same Statute the Charity Commission were to deal with the £20,000, or to give due notice of their intention to do so, and by a mere technical slip, a most culpable neglect, the late Chief Commissioner failed to give the required notice of opposition, with the result that the £20,000 lapsed to the College. Surely we ought not to go to a division without hearing a statement on the part of the Charity Commissioners as to what the facts are. I may be under a slight misapprehension in the matter, but I believe I am broadly stating the facts when I say it is entirely owing to a piece of negligence on the part of the late Chief Commissioner, and by availing themselves of a technical flaw, that Jesus College is now in any way enabled to make any claim upon the £20,000. We, in Wales, maintain that the £20,000 ought to go as the University Commission provided in furthering the interests of education in Wales, and if we are in a poor minority in this House, we must divide on the question all the same as a protest.

*MR. J. W. LOWTHER (Penrith): I should not have intervened in the debate had not the hon. Member for Montgomeryshire directly appealed to me for confirmation of the statements made by him. That confirmation I can certainly give. The Charity

Commission intended to deal with this, and a certain time was stated during which the Charity Commissioners were to deal with it. By an oversight on the part of the Commission, the sum was not dealt with, and it has lapsed to Jesus College, subject to certain educational trusts. It rests with the College to say in what direction the fund shall go—whether it shall be for direct education or for indirect education, such as endowing exhibitions or scholarships, or endowing their library. I believe there are only 49 or 50 undergraduates, of whom 47 hold scholarships, and apparently the authorities thought that there was no use heaping scholarship upon scholarship, and that it was better to apply the funds to indirect rather than to direct education. I think it does not rest with the Charity Commissioners to suggest to the House what course it should take, and personally I do not propose to vote in the Division which is about to take place.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I think the statement of the hon. Member has placed us in a very different position. The hon. Gentleman is one of the Charity Commissioners, and it appears from his statement that there has been a great lapse on the part of that body. If that be so, surely the responsibility rests with the Government to place the people of Wales in the position they would have occupied had not there been this serious neglect of duty on the part of the Charity Commissioners. I appeal to some Member of the Government to inform us whether in their opinion the Government are not bound to relieve hon. Members from Wales who have been improperly placed in their present position in this matter.

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): From the legal point of view, it would be exceedingly wrong of Her Majesty's Government to interfere as a Government with this question. Still there is no doubt about the legal position. Failing an appropriation of the funds

in question within a limited time, the right of dealing with the funds went to Jesus College. Unless Jesus College has been guilty of some neglect, or has in some way departed from some obligation which rests upon them, the House will be doing wrong in interfering with the right of Jesus College in applying the money to a purpose which is admitted to be educational, although not that which commends itself to the minds of hon. Gentlemen opposite. It is not even suggested that the Government should or could interfere at present, but it is suggested that a Bill may be introduced at some future time. It may be that Parliament will then think that the maintenance of this library should be charged on some fund other than this particular fund. But the House is now asked without sufficient reason to say that the body legally constituted, having legal authority over this fund, acting, as is admitted, in the exercise of their power by devoting this fund to a lawful object connected with Welsh education, is not so to act. I think the House would be proceeding without any trustworthy information, and that further than that it would be establishing a most dangerous precedent if they were thus to interfere with a properly and legally constituted body.

SIR F. J. REPP, (said): I go with the Attorney General in believing that the Government are under no special obligation in the matter, but I think that the Government have undertaken a special obligation in the matter, and that they are now doing so in a way which is not what was intended for them. I have no objection to the Government's action, but I think that they are now doing so in a way which is not what was intended for them. I have no objection to the Government's action, but I think that they are now doing so in a way which is not what was intended for them.

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SIR F. J. REPP.

been intended that they should be liable to come before Parliament for consideration. Though the College has acted within its rights, there appears to have been a failure to appreciate the condition originally attaching to the fund, though legality has been strictly observed, I think a moral claim has been established against this scheme.

*MR. RATHBONE: (Carnarvonshire Arfon): I really must protest against the position taken by the Attorney General. It does not seem to me that a College can act on different principles to those that should guide honourable men. I cannot conceive that any honourable man coming into possession of money by accident and knowing for whom it was intended would not make an effort to place that money in the hands of those for whom it was intended. So I cannot conceive how the college can be justified in taking advantage of this technicality.

*THE VICE PRESIDENT OF THE COUNCIL FOR EDUCATION (SIR W. HART DYKE, Kent, Dartford): I should be sorry if any acrimony were imported into the discussion. This is essentially a matter on which the House should decide, and Her Majesty's Government do not think it their duty to guide the House upon the subject. We, therefore, shall follow the precedent which has been set on previous occasions, notably in 1881, when Lord Spencer declined to take part in the Division in connection with a question raised in the House upon a Statute of Lincoln. I am, Sir, a poor and learned Friend of the Attorney General, but no more than to give his legal opinion. While I regret that the legal opinion as to this matter is not in legal possession of the fund.

The House divided—Ayes 54: Noes 40. (Division List No. 195.)

THE HOUSE OF COMMONS (Lords),
On the 12th June 1891, to be read a second time, and to be reported on.
The Bill.

House adjourned at Five Minutes
before One o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 3.]

SIXTH VOLUME OF SESSION 1889.

[JULY 20.]

HOUSE OF LORDS,

Friday, 12th Jul., 1889.

LOCAL GOVERNMENT PROVISIONAL ORDERS BILLS.

OBSERVATIONS.

***LORD DENMAN:** My Lords, the suspension of a Resolution like this was opposed by Lord Redesdale, Chairman of Committees, in 1855, because no opposition, so late in the Session, could be of any avail. Since then, especially in 1879, when limited liability for banks was carried by suspension of the Standing Orders on August 14, and the Bill carried the next day by Royal Assent, all has been hurry. The noble Chairman of Committees said it would be better to have no Resolutions than to annul them afterwards. I think it should be possible for this House to go through all the business before it with due deliberation. I can only say that I have constantly advised Members of the Government to adjourn Parliament instead of proroguing it. There are several precedents for it, and if that were done there would, I assure your Lordships, be sufficient opportunity afforded for the consideration of business. On the 17th December, 1831, Parliament was adjourned to the 17th January following, and by that means obstruction and a great waste of time was avoided. I think it would be for the good of the country if the Government would at once announce that they are prepared to adjourn the Session instead of proroguing Parliament.

***LORD BALFOUR:** My Lords, a great number of Provisional Orders are on such minor matters as the alteration

of local boundaries, not being those of counties, and not sufficiently advanced to come before the House. I am not speaking from absolute information, but I think it most likely that this large number of Bills has relation to matters which are the subject of local inquiry. The House will agree that it is, under any circumstances, exceedingly difficult for those who have to pass Provisional Orders Confirmation Bills through the House to comply with the very stringent Sessional Orders, and it is only with very great difficulty that they can be complied with at all. They are exceedingly stringent. I quite agree with the noble Lord the Chairman of Committees that it is undesirable to continue the Standing Orders. I venture to think it would be very desirable for next Session, before the next Sessional Orders are passed, to consider whether the time should not be extended.

***LORD DENMAN:** The necessity for supplementing the Local Government Bill shows how hastily it was carried. I wish no such Resolution had been passed at all.

THE EARL OF MILLTOWN: It was suggested that the Provisional Orders Bills, which your Lordships know are not discussed at any very great length by this House, should be considered by the Standing Committee, but since that time not a single Provisional Orders Bill has been sent to the Standing Committee. As no one seems to know very much about them, I venture to suggest to the noble Viscount that he should send them to the Committee on General Purposes.

THE EDUCATION CODE.

***LORD NORTON:** My Lords, I have to move a Resolution, of which I have given Notice—

"That in the opinion of this House the Education Code should fix a certain general grant to all certified elementary schools, according to their circumstances, as the normal contribution of the State to the expenses incurred by managers, instead of the grants proposed in Article 100 (a) to be awarded on a graduated scale by the Department according to Reports of Inspectors on the efficiency, in various senses, of each school; and that any reported inefficiency should not be met by reducing the means of efficiency, but the grant should be continued until persistent refusal or neglect to amend the reported inefficiency should forfeit the certificate of the school."

I hope your Lordships will accept my statement of petitions, of which I have about 50 to present, from Teachers' Associations and other bodies connected with national education in favour of this Motion. The 30th edition of the Education Code to which they refer, as your Lordships will have seen by the Report of what took place in the other House yesterday, is withdrawn, but some new edition must follow the Report of the Royal Commission, and the present is a favourable opportunity to pass in preparation such a Resolution as I now propose. It is most essential that that new edition of the Code should be based on sound principle, and should be upon permanent basis embodying the experience of so many years. There is nothing more injurious than constant change in a Code upon such a subject. I want to show your Lordships that all the demands for change may be traced to one source. At the bottom of all the dissatisfaction and faults found and demands for alteration is the radically vicious basis of co-operation between the managers who undertake national education and the State which subsidises their work. The managers are either school boards with unlimited command of local taxation, or voluntary bodies who began, and are carrying on, the work from private resources. Soon after I first reduced a mass of Minutes of Council on this subject to a Code, as Vice-President of the Council Mr. Lowe (now Lord Sherbrooke) in reviewing it, following me in that office, originated the idea of the State dealing with managers on terms of bargain and sale. So many samples of negotiation were to be produced for inspection, and were to be paid for if approved by the State. All the special complex negotiations approved and accepted would then have

far short of anything that deserved to be called education; and, so purchased, must actually hinder it. Thirty years of such a mercenary system of piecemeal education have so utterly degraded the whole idea of the work, and so accustomed and practised those engaged in the trick of the bargain, that each yearly new edition of the terms is simply canvassed and estimated by the sum to be won out of it. I heard a leading educationalist the other day condemning the just withdrawn Code, on the ground that it would cause an actual loss of 4½d. a head in the school in which he was interested. One cannot but think when one reflects for a moment on what the real scope of education is, the formation of character, the instilling of sound principles of action, and the training of the intelligence of the great bulk of the nation, that it is a matter of grave importance to ascertain what is the cause of so much mischief. The educational value of the Code is merged in the simple cash calculation. The system is condemned. If anyone supposes I exaggerate in saying that the mode of payment is the root of all its evil, they have only to consider for a moment the grievances put forward. The Notice Paper of the other House shows 12 Amendments to the Code just withdrawn. I think that has been the cause for its withdrawal. Every grievance would be met by recognizing the true principle of a public support of education. For instance, complaints are made that under the present system there is a neglect of religious instruction. That is because a money grant cannot be attached even to elementary instruction in religion. Another very prominent grievance is that a sort of evanescent cramming of the memory has been substituted for the training of the intellect of children. Why is that? Simply because the payments depend on performances, and not on the requirement for education. Another grievance is the anxiety and distraction of mind arising from pecuniary pressure. Why is that? Because there has been substituted for a general contract for the great work of education, special payments for details of instruction. My Lords, I maintain that this system is condemned by all who have thought impartially about it. Where is it more pointedly

condemned than in the Code which has just been withdrawn. That Code followed the Report of the Royal Commission in a wide departure from this system. It largely increased the fixed rate of support given by way of subsidy from the State, but at the same time it unfortunately retained a number of those special payments which have been the cause of mischief, enough to still vitiate the whole system. The Code, as withdrawn, after laying down most properly general conditions on which any subsidy should be obtained, proceeded only partially to enlarge the fixed part of the subsidy given by the State, and that in a precarious manner and with liability to total forfeiture; but it made up its amount by a number of the old grants in detail, and these would still be the most interesting stakes to play for, in hopes to cover expenses incurred. There were—a shilling for needle-work, a shilling for singing by note or sixpence by ear, one or two shillings for class subjects, English, geography, and history, and four shillings apiece for specific sciences and foreign languages, which the richer classes would monopolize. That Code recognized what was advocated only partially, and spoilt it by retaining what was condemned. There should, no doubt, be what this Code had not—namely, different curricula for schools in different circumstances; but in each case the State subsidy should be dependable and should be adequate for the contemplated work. What is the use of asking for half remedies, such as an extension of the 17s. 6d. limit of subsidy, which, indiscriminately applied, might be too much or too little; or for freedom from rates, which would be dangerous and unjustifiable indefinitely granted? Such is the necessary failure of a remedy which did not touch the cause of the old disease. What is wanted is not casual prizes, but means for the work to be done and for its necessary cost. So inveterate has become the earning, and eleemosynary, habit that a more definite contract between the State and managers is neither desired nor thought possible. Yet it is the practice of all other countries, including our Colonies. In Canada a supply from the Central School Fund is distributed to every school district simply in proportion to the school population, that is children between the age of five

and 15, and the rateable value of the district. The Mother Country might take a limit in practical wisdom from her daughter, and fix a normal scale of capita-tion for State subsidy to local managers, who would soon come to terms in detail with boards and voluntary contributors as to its application to their own particular requirements. But the Code made a further blunder in proposing the enlarged fixed subsidy to be awarded on a graduated scale, according to the inspectors' judgment of the comparative merit of schools as good, fair, or excellent. Inspectors were unanimous in their evidence of the impossibility of such discrimination, and the invidiousness and falsehood of the attempt. The fact that the sample turned out is not so good in one place as in another is no test of the merit of the teaching. The object is not competitive exhibitions, which, from the circumstances of the school or accident of pupils' intelligence, may vary inversely with the teachers' labour. The object is to put good education within the reach of all. A normal fixed State subsidy to local managers is the true principle for public support of national education, and this is gradually breaking on the long bewildered public mind. But there lingers still enough of the old fallacy to make some suppose a guarantee of work, and a stimulant to exertion, necessary in the shape of *præmia* on superior show, and fines on failure. It is strange that the teachers' profession should be thought incapable of the pride or honesty of good work, and to require enticing or flogging up to their duties by threats of their income being withdrawn, and of the very means for carrying on their service being mulcted—that they alone of all people in the country should be thought incapable of doing their duty, except by a petty system of rewards and punishments. I am convinced that your Lordships will not take that view. A false parallel has been put forward to bear out that view in the dependence of all work for profit on its success. The open market certainly will not come for nor remunerate unsuccessful product. But there is no parallel in that fact to a Government subsidy for national education by instalments of payment on details of approved instruction. The Government should take no

measure of the work required in subsidizing national education by non-success in particular performances. The Government should, by constant inspection, instead of that useless inspection which now goes on on fixed days, ascertain a *bonâ fide* service, and so long as is continued give a fixed subsidy of adequate amount. In case of persistent neglect or of misapplication of the means given they should withdraw them until their proper use was restored. The only objection that I have heard of any weight whatever is the notion that too much will have to be trusted to the inspector's judgment, but in any system there must be trust to the inspectors. In common with the Code proposal, on persistent refusal to correct faults the total grant should be taken away after, say, two years' warning. That I believe is the proposal that has been made in the Code, and I have made precisely the same proposal. But I would go further even than that. I would suggest that where an inspector's judgment is challenged there should be an appeal to a sort of Committee of Inspectors. Your Lordships know there are similar means of appeal in other Departments. My Lords, all I ask is the affirmation of a better principle for the New Code which must follow next year. I ask that a final draft of the Education Code should be made on a solid basis, that we must have at least the State subsidy fixed; and that the managers of our schools should be placed in relation with the State on terms suitable, independent, and adequate for the work of national education.

Moved to resolve

"That the House do resolve, That the Government should, by constant inspection, instead of that useless inspection which now goes on on fixed days, ascertain a *bonâ fide* service, and so long as is continued give a fixed subsidy of adequate amount. In case of persistent neglect or of misapplication of the means given they should withdraw them until their proper use was restored. The only objection that I have heard of any weight whatever is the notion that too much will have to be trusted to the inspector's judgment, but in any system there must be trust to the inspectors. In common with the Code proposal, on persistent refusal to correct faults the total grant should be taken away after, say, two years' warning. That I believe is the proposal that has been made in the Code, and I have made precisely the same proposal. But I would go further even than that. I would suggest that where an inspector's judgment is challenged there should be an appeal to a sort of Committee of Inspectors. Your Lordships know there are similar means of appeal in other Departments. My Lords, all I ask is the affirmation of a better principle for the New Code which must follow next year. I ask that a final draft of the Education Code should be made on a solid basis, that we must have at least the State subsidy fixed; and that the managers of our schools should be placed in relation with the State on terms suitable, independent, and adequate for the work of national education."

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Lordships the same arguments as he urged on the last occasion when he brought the question before the House, and withdrew his Motion. My noble Friend who was a Member of the Royal Commission not only used all these arguments before, but he gave an opportunity to any Member of the Commission who might agree with him to sign the protest which he made upon this particular point, but he could not get any of his colleagues to join him in subscribing it, and it was made solely and entirely without their consent. The Report of the Royal Commission is most distinctly in contradiction to everything that my noble Friend has said in your Lordships' House. The New Code is no longer before the House, and we need no longer discuss it. But my noble Friend, after the explanation which he has given, finds at last that the principle embodied in the Report is the same as that which he himself adopted. I must ask your Lordships to see what it is that he proposes. It is that the House should lay down as the principle to be acted upon that any report of inefficiency in schools should not be met by reducing the means of efficiency, but that the "reported inefficiency" should be continued until persistent refusal or neglect to amend the reported inefficiency should forfeit the certificate of the school. The noble Lord does not mean this; but can he expect your Lordships to adopt a Resolution so drawn? Now, my Lords, just let me for the moment call your attention to the fact that the proposal of the Royal Commission, of which, as I have said, my noble Friend was a member, was that there should be a fixed grant of £15 per pupil, and that the fluctuating grants beyond that should be so far modified as that their amount should depend upon and be regulated rather by the requirements of the great majority of the scholars than the exact number of scholars who acquire the necessary standard. That is to say that they should no longer depend upon individual results but upon the general condition of the school, the character of the teaching, and the order and discipline prevailing among the children. They expressed their conclusions in the most plain terms, and they went on to say that the distribution of the

Parliamentary grant could not be made wholly free from the present system of examination, without greater evils resulting than those which it was sought to cure, nor could they believe that Parliament should make a larger grant without in some way satisfying itself that the quality of the education would justify the expenditure. But they also said that the present system of payment by results is carried too far, and is too rigidly applied, and that it ought to be applied for the interests of both the scholars and the teachers. That was the principle on which we proceeded. In that respect the Report of the minority was in practical agreement with that of the majority, and went distinctly in favour of that which had been voted by the majority. Therefore, I may say it is perfectly clear that what the Royal Commission recommended was a fixed grant, that each school should receive a certain amount in the course of the year, so that they would be enabled to make proper arrangements for teaching, and so forth, but that the teachers and managers should be able to earn more according to their qualifications and the manner in which they conducted the school. The inspectors were to report upon the moral training, accuracy, and general knowledge of each school, and upon the qualifications and instructions of the pupil teachers. They were to judge according to the best characteristics of the best schools, and according to the quality of each school they were to make the grant, and beyond that they were to give payment for certain subjects. I should have been very glad if an opportunity had been afforded of going into this question, and regret that the New Code has never yet undergone adequate discussion; but as my noble Friend is in opposition to all his colleagues on the Commission, as he has submitted to this House practically the same Motion once before, and it was withdrawn having received no support from your Lordships, I would ask you to negative the Resolution at present before you.

On Question, resolved in the negative.

THE LIQUOR LAWS IN CANADA AND THE UNITED STATES.

QUESTION—OBSERVATIONS.

THE EARL OF WEMYSS: My Lords, I rise to ask Her Majesty's Government

if they will take steps to obtain and lay before Parliament reliable information regarding the present working of the "Liquor Laws" in Canada and in the United States? My Lords, in moving for the Return according to the Motion which stands in my name on the Paper, I would ask Her Majesty's Government what information is already in their possession, which would place your Lordships in a position to judge of the success or otherwise of the prohibition of the sale of liquor in the United States and Canada. This Notice of mine has been for some time on the Paper, and I am glad it has been delayed, because within the last month or so facts have come out which corroborate the statements I have to lay before your Lordships, and which considerably strengthen the position I take up on the subject. My object in bringing this forward is to show that prohibitory liquor legislation has failure written on its face, and that it has always failed even when tried under the most favourable circumstances. This we are now able to prove by statistics. In Canada and the United States they have had prohibitory laws of almost every kind and description. They have had total prohibition, local option, and Sunday closing in all the phases and forms which compulsory regulation of the traffic can take; and if, as we are told by temperance advocates, drinking is the cause of crime, madness, and poverty, these countries ought to be free from all those evils. But is that so? The facts do not prove anything of the kind. On the contrary, crime, madness, pauperism, and all the other evils are just as rampant in the prohibition countries as here in proportion to the population. About two years ago I ventured to say in this House that in Canada and the United States these evils prevailed to an enormous extent. I was taken to task by the Member for Glasgow, who was then about to leave for America, and he promised to give me his reply when he returned. I am waiting still for the reply. Probably the hon. Member will find as a result of his inquiries that the facts I stated were true. Since then I have spoken to one of the American Ministers to this country upon the subject, and his reply was that what I had stated was perfectly true, and he told him that in Maine hot pickles were

town in the State. The universal testimony is the same, that in cities and villages alike they can get liquors enough for bad purposes in bad places, but they cannot get it in good places for good purposes. Now, my Lords, comes the question of statistics. The Maine Prison Report states that intoxication is on the increase, and that some new legislation must be passed if it is to be lessened. The number of committals for drunkenness, it states, in the year was 1,316 for a population of 648,000, while in Canada, which was not then under these laws, the number was only 593 for 661,000 of the population. In ordinary crime there has been an increase, and the pauper rate is larger in Maine than in any other State. In Vermont, where for the last 30 years prohibition has been tried in its severest form, the law for all practical purposes is a dead letter. In Iowa prohibition means free liquor, and in Kansas, under the most strict prohibition, the drug stores are little better than rum-shops. Local option, which has been in force for three years in seven counties in Ontario, was submitted to the electors for a renewed term, but was rejected in all those counties by large majorities. In June last the repeal of the liquor prohibition Amendment by the Rhode Island Constitution was voted by a heavy majority, and in the same month the people of Pennsylvania rejected a prohibitory liquor Amendment to the Constitution by 175,000 votes. In Philadelphia the majority was 93,750, against it, and in nearly every county there was a large hostile majority. All this goes to prove the signal failure of the Acts; but such legislation is most disastrous in other respects, because it engenders an enormous amount of deceit, and every mode of breaking the law is resorted to. My Lords, I take it that those facts show that there has been a signal failure in producing the effects by those Acts which their promoters hoped they would produce. I have received numerous letters upon this part of the subject from a person in Maine who is thoroughly conversant with the subject, giving instances of the deceptions resorted to for the purpose of evading the law. For example, in some transatlantic places, if you go into a place where liquor is sold, by turning the taps in one direction you get water, if turned in another you get spirits. In

many cases spirits are obtained under the pretence of illness; and as druggists are allowed to sell liquors medicinally the usual prescription when the patient required "bracing up" was "spirit fumenti," and whiskey was produced. In smaller towns in America spirits are obtained from "the bootless saloons" where men go in with long jack-boots and they have only to give a wink and they get the boots filled, and a very common mode was upon what was known as the "loan system." A gentleman desiring a bottle of champagne with his dinner mentions the fact to the waiter, with the result that a bottle is "lent" and a document is signed by the gentleman promising to give back the bottle on a future occasion—whether it is full or empty does not appear. The law cannot possibly touch such a case, for it is all colourably legal enough. But, my Lords, you must not suppose that these evils are at all confined to the transatlantic countries, for we know that in our own country Sunday closing has had very similar effects. We have had ample illustrations in the United Kingdom. Sunday closing was in force in Wales, but in Neath the hotels were watched for two or three months, and an average to each house of 280 "*bond fide* travellers" were seen to enter. In Glasgow there are 4,000 shebeens and 2,000 clubs. Lord Aberdare, who was an earnest advocate of what is called "temperance legislation," and who, when he was in the House of Commons, made a proposal by which in 10 years all the licences would have lapsed, and who strenuously supported the Welsh Sunday Closing Bill, has written admitting that it was a failure. Now, my Lords, in the face of all these facts what will the enthusiastic teetotal advocates, or "hydrocephalists" as one may call them, for they certainly suffer from "water on the brain," say in defence of their position? Doubtless, as regards America and the United States, they will argue that the systems were different, and that what has happened there would not happen here. It is perfectly astonishing the fearful extremes to which some of these enthusiastic water drinkers will go. I read some time ago in a Scotch paper that the pastor and deacons of a kirk, who were all water drinkers, and who objected to the use of wine in the Communion Service, with-

out the knowledge of the congregation substituted water mixed with chalk. It is interesting also, my Lords, to see what professional prohibitionists say on these matters. I have in my hands the speech of a distinguished political gentleman, and as the passage in question expresses my own views much better than I could do I will read it. The speaker (Sir W. Harcourt, M.P.) in 1872 said—

“I heard it affirmed that crime, poverty, and disease were the results of increased and increasing drunkenness. When I come to examine these assertions I find they cannot be supported. There seems to be, day by day, a growing disposition more and more to invoke the interference of Government in every relation of social life. I believe this to be a most dangerous tendency, and one to which it is necessary to offer an early and determined resistance. The question is, Can you, or ought you to put down drinking by legislation? You might, of course, make it impossible for any man to get anything to drink, and then, of course, no man could be drunk; just in the same way you might make an end of all crime by putting everybody in prison. But when you have put everybody in prison you will not have made your population virtuous. No more will you have made the nation moral when you have compelled them to be sober against their will. What really makes sobriety valuable is the voluntary self-control, the deliberate self-denial which resists temptation and leads a man for the sake of himself and others to abstain from vicious indulgence, and this is the thing which you cannot create by Act of Parliament. I shall be told that this sort of restrictive legislation is promoted by well-intentioned people for excellent objects. I know it is. But I also know that the greatest crimes and the greatest mischiefs the world has ever known have been the work of well-intentioned people for excellent objects. They thought it was their right and their duty to compel men by any and all means to do what was good for their temporal and eternal welfare. The Bishop of Peterborough's sentence, that he 'would rather see England free than sober,' has become famous. I know he has been loudly condemned for it, but it seems to me to convey sound sense and true policy, and if he had only added that he would rather see England free than orthodox, I should have been disposed to have called him a model Bishop. I am against the whole system of petty molestation and irritating dictation, whether by a class or by a majority. I am against forbidding a man to have a glass of beer if he wants a glass of beer. I am against public-house restrictions and park regulations.”

Now, my Lords, in 1888, addressing the assembled hydrocephalists, the same gentleman said—

“It cannot be but a matter of supreme satisfaction to men who have worked far longer than myself (*sic*) in this great cause, to men like those whom I see around me upon this platform, and perhaps first and foremost of all my friend

Sir Wilfrid Lawson, men who worked so faithfully—at times it must have been so desperately—in the cause which they have lived to see advance to a point when we are within sight of final victory, to see this great cause moving like some of the great heavenly bodies with cumulative velocity and with ever-increasing momentum. . . . In spite of all your progress your gaols are still replenished with crime; your workhouses are filled with paupers; homes that might be happy become the abodes of wretchedness; men who might be an honour and a service to their country become either mischievous drunkards or useless sots; and women who should be the nursing mothers of future generations offer to their children the fatal example of intemperance and vice. Depend upon it, there is no place like the Home Office for impressing upon the mind the terrible significance of this cancer which eats into the vitals of society. Can we sit with folded hands and accept this shocking and far-reaching mischief? You do not act with helpless impotence in other things. If you have foul sewers, you cleanse them. If you have swamps which breed fever, and endanger the vital powers of the community, you cleanse them. But this fruitful source of moral pestilence is allowed to work its unnumbered evils. Is there no remedy for it?—[Cries of ‘Yes,’ and ‘Shut them up.’] The remedy is at your hand. It is the very thing which the alliance exists to promote (*i.e.* prohibition). I propose to give the absolute control, including prohibition, to the Local Government.”

My Lords, it is difficult to understand that in these two instances the speaker was the same; but in 1872, at Oxford, Sir William Harcourt was not the professional politician he was at Manchester in 1888, when he made the second speech addressing the hydrocephalists. What a professional politician may sometimes feel himself impelled to do I do not know—I am sure it is not for me to say what a professional politician may or may not do. It is highly possible that those who err in one direction will fall into an extreme in the other. But, my Lords, it is of secondary importance what a professional politician out of office may say upon any question as compared with what will be done by the Government of the country. My Lords, I can hardly doubt that those who sit on the Treasury Bench will agree that it is no crime for a man to drink a glass of beer or spirits. I do not believe, my Lords, that at Cabinet dinners there is only water provided; and I hope Her Majesty's Government will courageously put their foot down when any question of legislation of this sort comes before them. I could refer your Lordships to some powerful passages in the Report of the Lords' Commission on the subject.

The Earl of Wemyss

The evil of drunkenness is, no doubt, a question of great importance; but there are more serious matters even than drunkenness, and those questions are liberty and law. I hold that we shall cease to be a free people if it is not to be in the power of a sober and temperate man to get a glass of beer or spirits if he wants to do so. I appeal to the Government to consider well before assisting any legislation of a prohibitive character, and I urge that if legislation is undertaken it should be on the lines laid down in the Report of the Lords' Commission. The other aspect of the question, to which I would again refer, is obedience to the law, and I think there is nothing which would be more hurtful to the nation in the long run than such prohibition by law—in the long run it would tend to produce contempt for the law, and induce the evils of evasion and drunkenness which it has produced elsewhere. I trust, therefore, that those who desire that prohibition which has failed in other countries, and among all English-speaking races, will be warned by those examples, and I hope your Lordships will resist the tyrannical views and action of the Temperance Alliance, and those who are in favour of prohibiting the liquor traffic. In the event of the licensing being transferred to the County Councils, I trust that whatever Government may be in office a minimum will be fixed both as to the number of licenses and as to the fees to be charged. In that way alone should the interests of the minority be protected. That protection for minorities is demanded, otherwise, upon taking the opinion of perhaps a few hundreds of the population of a district, all places where liquor is sold would be shut up and the licenses taken away. On the other hand, it is quite possible to impose such a fee upon licenses as to be sufficiently prohibitory. My Lords, I think the evil effect in every way, moral and otherwise, of this kind of legislation is so clearly shown in the cases where it has been adopted, and its failure so apparent, that I now ask the question which stands in my name, for the purpose of having laid before your Lordships any Papers on the subject.

*THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY):

My Lords, the only objection I know to the demand of my noble Friend that the Government should furnish him with more information is, that he has so much information already that I am not sure we could give him any material to his purpose. We have already a good deal of information on the Table, and we will do what we can to obtain from the American States any further light upon this debateable question. I am authorized by Lord Knutsford to say that he will take the same measures with regard to Canada. My noble Friend must remember, however, that at the beginning of the operation of a law when it has not been in operation for a great length of time, it is not easy to produce, in the form of statistical figures, evidence of its actual working. It is only when it has been in operation for a considerable number of years that the evidence takes that form, and any evidence which really depends on the estimate formed by the reporter is of less value, and in the case of a foreign State is rather difficult to furnish. It is quite a simple affair to ask the Secretaries of the Embassies in any foreign State to give any facts they know, but it is not so easy to ask them what they think of the working of the law, because they might say something to which the Government to which they are accredited may very fairly take exception. Therefore, I must ask my noble Friend not to imagine that there is a larger store of information at our disposal than actually exists; but I can assure him we will do our best to obtain all we can, and shall be very glad to lay it on the Table.

THE EARL OF WEMYSS: Much of the information which I have quoted is contained in Papers already presented to Parliament, and my desire is that we should have a continuance of that information down to the present date.

*THE MARQUESS OF SALISBURY: Quite so; that will be easily done. My noble Friend dealt a good deal with movements of opinion, and addressed many exhortations to the Government or those who might occupy our places; but he knows very well what the opinions of the Government are upon this subject. We embodied them in certain clauses of the Bill of last year, but we found there were difficulties, not

political, but of a material character, in the way of carrying our opinions any further. We find it had enough to be obliged to devote a Session to Ireland and a Session to Scotland, and if in addition we are to devote two or three Sessions to public-houses, there really would be a very serious impediment to public business. The vigour of the controversy which rages on this subject makes it very difficult to introduce any legislation at all. The noble Earl spoke rather as if he imagined that handing over the power of licensing from the Magistrates to the Local Authorities would be a measure of derogation of the liberty of which he is very justly jealous. That is not my opinion. I think that the views of which he is particularly adverse only exist in particular parts of society; they do not spread very largely, but they are found in persons who advocate them with great vigour and propagate them with great energy. Those views have in some countries invaded the *Magisteria* power, but I am not sure that the liberty of which he is the champion will run in the long run be exposed to the kind of risk if the present system of magisterial licensing continues without any modification. At all events I feel we should, on the whole, be quite as safe with the County Councils as with the Magistrates in this matter though I entirely concur that such measures should be taken in any legislation on this subject as should prevent any oppressive action of the kind which he decries. But there is one point in my noble Friend's reasoning which struck me as he went on, and to which I will draw his attention. I quite admit there is this desire for what is called prohibition. It is nothing new. It has existed in civilized communities from time to time. One of the earliest heresies that afflicted the Christian Church was a heresy which forbade to drink wine or to eat flesh or to marry. In these days we separate the three, and there are three separate sects who preach these various doctrines. They are delusions which prevail from time to time: they grow, they flourish, they reach their height, and then they fall away. And I think from some of the statistics which my noble Friend has brought forward, there is ground for believing that we are not in great

danger of this feeling spreading very much further than it has already spread. But it is mixed up with another feeling, with which I think, my noble Friend has wrongly confounded it, but which is defensible on other grounds, and that is the movement for shutting public-houses on Sunday. Now that is not, in my view of it, mainly a testotal movement. It is much more analogous to what we may call, without offence, the Sabbatarian view, which turns much more on the sanctity which attaches to Sunday than on the movement for restraining the sale of spirituous liquors, and, therefore, it has at its back a much stronger force of opinion—a force of opinion drawn from the sentiments and the deep convictions of a large school of the Christian Church, and I do not deny that that movement has acquired considerable strength, and may acquire greater strength yet. My noble Friend must not imagine I am at all in its favour; I deprecate it very much; but I was anxious to distinguish between two different currents of opinion which I think it is a mistake to confound. I think the movement for Sunday closing is one of considerable power, and I do not venture to prophesy how far it will succeed or how far it will fail. We know it has already succeeded in the Celtic portions of this country, and it may extend somewhat further, but the movement against the liberty to consume alcohol which is separate from the question of Sunday closing altogether, is not in my belief a very powerful movement, and I think my noble Friend need be under no apprehension that it will ever acquire sufficient power to interfere with individual liberty. That is the only point on which I wish to express any opinion on the points raised in the observations of my noble Friend. I quite agree it is important that we should watch these movements and obtain as much information as we can, and we shall be glad to give our assistance to my noble Friend in doing so.

THE EARL OF KIMBERLEY: May I suggest that information should also be obtained from Australia and New Zealand?

*THE MARQUESS OF SALISBURY: We will obtain information from those places.

The Marquess of Salisbury

PRIVATE BILL LEGISLATION
(ALTERATION OF MEMORANDUM OF
ASSOCIATION).

LORD HERSCHELL: My Lords, I move that a Select Committee be appointed to join with a Committee of the House of Commons to consider and report under what circumstances, or upon what conditions, if any, Private Bills altering the terms of the Memorandum of Association of Companies ought to be allowed to pass. It will be apparent to your Lordships that this Motion arises out of the difficulty felt in regard to a Private Bill which came before your Lordships yesterday. The Chairman of Committees was in considerable difficulty in the matter, and he thought it ought to be submitted to the House to say whether the Bill was one which ought to be allowed a Second Reading or not. I am quite sure that what took place yesterday is not likely to determine his difficulties in this respect. And, my Lords, the difficulty is increased by the fact that a different view in the matter has been taken by the two Houses, as to the mode in which these Bills ought to be dealt with. A measure of that kind came before the other House, and was considered by them, and they thought it was a case in which an alteration might be allowed. There is no doubt that the mistake yesterday arose from a misapprehension. I think your Lordships will agree that two things are very desirable; first, that some rule should be made as to the mode in which such an application should be dealt with, and next that that rule should be as nearly as possible the same in both Houses, so that those interested in the matter should know exactly under what conditions such application would be likely to be successful, and under what conditions it would be useless to make them. I think this Motion is likely to have a very useful result in preventing any difficulty arising, and in removing any misconception as to the construction of the Act.

Moved, "That a Select Committee be appointed to join with a Committee of the House of Commons to consider and report under what circumstances, or upon what conditions, if any, Private Bills altering the terms of the Memorandum of association of companies ought to be allowed to pass."—(*The Lord Herschell.*)

*THE EARL OF MORLEY: My Lords, I am very much obliged to my noble and learned Friend for raising this question. It is one of great importance, as the doubts he has alluded to might lead to considerable difficulties in dealing with Bills of this nature. I think it is desirable that what he suggests should be done now, so that promoters may know, before November, when their Bills must be deposited, on what principles Parliament will act in future. I can only say that I will give such assistance as I can with regard to the appointment of such a Committee.

Motion agreed to.

TRUST COMPANIES BILL. (No. 10.)

House in Committee (on re-commitment) (according to order).

Amendments made.

Report of Amendments to be received on Monday next, and Bill to be printed as amended (No. 158.)

SMALL DEBTS (SCOTLAND) BILL.

(No. 136.)

SECOND READING.

*LORD WATSON: My Lords, the Bill which I ask your Lordships to read a second time is not by any means an ambitious measure. The Sheriff in Scotland exercises a very cheap and summary jurisdiction in cases for the recovery of debts not exceeding £12. The first object of the Bill is to extend the jurisdiction to the case of an owner whose goods are unlawfully detained, and who shows that they are under the value of £12. The remaining clauses of the Bill relate to alterations in the procedure of the Court, which, it appears to me, will be of considerable value.

Bill read 2^a (according to order), and committed to the Standing Committee for Bills relating to Law, &c.

House adjourned at a quarter past Six o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 12th July, 1889.

NEW WRIT.

For Marylebone (Eastern Division), v.
Lord Charles Beresford, Chiltern
Hundred.

QUESTIONS.

THE FALKLAND ISLANDS—CHARGES
AGAINST THE GOVERNOR.

MR. MAC NEILL (Donegal, S.): I beg to ask the Under Secretary of State for the Colonies whether the Secretary of State for the Colonies has received from Mr. James Smith, of Stanley, Falkland Islands, two Memorials dated respectively the 1st May and 7th May, 1889, making grave and specific charges against Mr. Ker, the Governor, amounting to wilful contravention of quarantine regulations and the consequent importation of infectious disease, attended with much loss of life, into the Falkland Islands, and also accusing the Governor of malversation of public funds and falsification of public accounts, and praying an investigation into these allegations; and, whether, in view of the gravity of the charges and the serious discontent of the inhabitants of the Falkland Islands, the Government will take any steps to inquire into these accusations?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de Worms, Liverpool, East Fife): The Secretary of State has received two Memorials from Mr. James Smith, of Stanley, accusing the Governor of the Falkland Islands of having contravened quarantine regulations. Mr. Smith states that measles have been introduced into the colony, which results not in contravention of the legal contravention of quarantine regulations, but in consequence of their inefficiency. He does not accuse the Governor of malversation of public moneys, but states he believes there has been a mismanagement of an account and asks for an inquiry. After noting the Governor's statement in answer to the Memorials, the Secretary of State has said that the statements in the Memorials impugning his

conduct to the Governor are unfounded, and he does not propose to make any further inquiry into them.

MR. MAC NEILL: Will Mr. Smith have any opportunity of seeing the Governor's statement? Is it not an *ex parte* statement?

BARON H. DE WORMS: The documents have been referred to the Secretary of State, who will exercise his own discretion in the matter.

MR. MAC NEILL: Is the period of five years the usual term fixed for the sojourn of a Colonial Governor in a colony; for what reason, having regard to the discontent of the colonists, and the repeated complaints forwarded to the Colonial Office respecting his conduct, has the term of office of the Governor of the Falkland Islands been extended beyond the usual period; why has he held his present office for eight and a-half years; and, how long is he to continue to hold it?

BARON H. DE WORMS: The usual term of a Colonial Governor's tenure of office is six years. The term of office of the present Governor of the Falkland Islands was extended beyond that period because he had, in the opinion of successive Secretaries of State, administered the Government with great care and success, and there was no opportunity of promoting him to another government. Occasional complaints have been made against him, but these have not proved to be well-founded, and the Secretary of State has no reason to believe that the colonists generally have been discontented with him. He has held his present office for eight and a-half years, and I am not prepared to say how long he will continue to hold it.

MR. MAC NEILL: Has it not been always understood that the re-appointment of a Colonial Governor cannot take place if he is over 60 years of age, and in this case is not the Governor over 60?

BARON H. DE WORMS: I do not think there is any rule to that effect.

MR. MAC NEILL: May I ask whether the Governor of the Falkland Islands introduced, early in May, in his Executive Council a Bill for the abolition of the office of Governor of these Islands; who had the office of Governor was held by the Colonial Secretary, who is also the Police Magistrate and Postmaster, and has had no legal training; whether

the effect of the Bill is to enable the Colonial Secretary to act in cases, which under the former system would have come before him with a jury, without the intervention of a jury; whether, on Mr. Brandon, one of the Members of the Executive Council, recording his vote against the Bill, the Governor stated his Council should support him in all things and dare not vote against him; whether, on a meeting of the Legislative Council to consider this Bill, at which some of the public were present, the Governor, in his opening speech, stated that the Falkland Islands were a Crown Colony, and that the people had no rights or privileges; and, whether the Colonial Secretary will, on receipt of a Petition from the inhabitants of the Falkland Islands, about to be forwarded to him by the honourable Mr. Cobb, a non-official Member of the Legislative Council, consider the propriety of vetoing this measure?

BARON H. DE WORMS: The Governor of the Falkland Islands recently introduced in the Legislative Council an Ordinance to abolish the office of Coroner, which was no doubt previously considered by the Executive Council. The office of Coroner is held by the Colonial Secretary, who is also Police Magistrate and Postmaster, and has had no legal training. The effect of the Ordinance would be as stated in the third paragraph of the question as regards inquests in the town and Port of Stanley—in other parts of the Colony the inquisitions would be held by two Justices of the Peace. The Secretary of State has no information as to what took place, either in the Executive or Legislative Council, with respect to the Ordinance, except that Mr. Cobb, an unofficial Member of the Legislative Council, voted against the Second Reading. In view of the strong objection to the Ordinance, which appears to be entertained by many of the inhabitants, the Governor has withheld his assent to it pending instructions from the Secretary of State, who has decided to direct him not to assent to it, although a measure of this kind has worked well in other colonies.

MR. MAC NEILL: I beg to give notice that on account of the unsatisfactory answers of the hon. Gentleman, I will take an early opportunity of

bringing before the House the state of the Falkland Islands.

BENARES—THE MAHARAJA AMRIT RAO.

MR. BRADLAUGH (Northampton): I beg to ask the Under Secretary of State for India (1) whether he is aware that, in 1837, Maharaja Amrit Rao, of Kirwi, placed two lakhs of rupees in the hands of the Government of India, that the interest might be paid in perpetuity to certain temples he had built in Benares; and that his successor, Venayak Rao, deposited with the Government the further sum of three lakhs of rupees for a like object, stating in his will—

“My desire is that even the English Government should not make use of a single farthing (cowrie) of the five lakhs of rupees which I have devoted solely to the Temple and Chatra of Benares;”

(2) whether his attention has been called to the fact that, in 1855, without any reason assigned, the Government, having undertaken the administration of the estate and will of Venayak Rao, the payment on the three lakhs was stopped; that, in 1857, Notes, Nos. 74 and 75, for the three lakhs of rupees were forcibly taken from the temple by an order of the Judge of Benares; and, in January and February, 1858, the sacred vessels, jewels, and furniture of the temples, to the value of Rs. 40,765, were seized, and other property, amounting to Rs. 100,000, taken, on account of the alleged treason of Madhava Rao, a child nine years of age; (3) whether the Government is aware that the property in question was never part of the Madhava Rao's estate; (4) whether Mr. F. O. Mayne, Special Commissioner, in his Report, dated 8th September, 1858, absolved Madhava Rao from all blame of participation in the mutinous proceedings of 1857; and, (5) whether the Government will make inquiries into the facts, as alleged, giving the Trustees of the Temple the opportunity of being heard in support of their claim?

***THE UNDER SECRETARY OF STATE FOR INDIA** (Sir J. GORST, Chatham): As to (1), (2), and (3), the Secretary of State has no information upon the facts alleged, nor can he discover, after very careful search into the archives of the India Office, that any

THE SCOTCH UNIVERSITIES BILL.

Mr. WALLACE (Edinburgh, E.): I beg to ask the Chancellor of the Exchequer whether he will state the maximum of the increase which he is prepared to recommend the Government to make to the annual sum of £42,000 proposed to be voted to the Scottish Universities in the Universities (Scotland) Bill, so as to enable the proposed Commissioners to deal with the question of compensation to professors and others?

*THE CHANCELLOR OF THE EX-CHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): It is from combined motives of benevolence and prudence that I would prefer not to name any maximum. If I named a maximum it would be highly probable that there would be a temptation on the part of the Commissioners to work up to it. On the other hand, if I named a maximum it might be found that it was not enough to deal with the particular emergency with which I am anxious to deal. Under these circumstances, I think it best not to name any particular sum until the Commissioners have had an opportunity of examining the whole case. I can assure hon. Members that the Government have a *bona fide* intention of being able to give some substantial assistance to the Commissioners in dealing with this matter.

Mr. CAMPBELL - BANNERMAN (Stirling Burghs): May I ask whether the intention of the Government would be embodied in any instrument or recorded in any way; because there may be a change of opinion or a change of Chancellor of the Exchequer?

*Mr. GOSCHEN: I will endeavour to provide for that emergency to the best of my ability by putting on record, in some form or other, the intentions of the Government with regard to this matter.

Mr. WALLACE: In consequence of the answer of the right hon. Gentleman, I beg to give notice that I shall move the rejection of the Universities Bill, on the ground of the inadequacy of the pecuniary arrangements.

GRANT TO UNIVERSITY COLLEGES IN GREAT BRITAIN.

Copy ordered,

"Of (1) Treasury Minute, dated the 11th day of March, 1889, appointing a Committee to report

on the appropriation of a grant of £15,000 for University Colleges in Great Britain; (2) Memorandum of the Lord President of the Council and the Chancellor of the Exchequer, dated the 1st day of March, 1889, on the same subject; (3) Report of the Committee thereon; and (4) Treasury Minute, dated the 1st day of July, 1889, on the same subject."—(Mr. Jackson.)

Copy presented accordingly; to lie upon the Table, and to be printed [No. 250.]

TOWN HOLDINGS.

Report from the Select Committee brought up, and read.

Minutes of Proceedings to be printed. [No. 251.]

Report to lie upon the Table, and to be printed. [No. 251.]

PASSENGERS ACTS AMENDMENT BILL [LORDS.]

Read the first time; to be read a second time upon Thursday next, and to be printed. [Bill 327.]

MESSAGE FROM THE LORDS.

That they have agreed to the Registration of County Electors (Extension of Time) Bill, without Amendment; Weights and Measures Bill, with Amendments.

M O T I O N .

SEA FISHERIES (SCOTLAND) REGULATION BILL.

On Motion of Mr. Marjoribanks, Bill to make provision for the better Regulation of the Sea Fisheries of Scotland, and for the establishment, improvement, and maintenance of mussel scalps or beds on the coasts of Scotland, ordered to be brought in by Mr. Marjoribanks, Mr. Duff, and Mr. Shires Will.

Bill presented, and read first time [Bill 330.]

BANN DRAINAGE [GRANTS, &c.]

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That it is expedient to make a free Grant, not exceeding the sum of £20,000, out of moneys to be provided by Parliament, for defraying a part of the costs of any works to be executed under any Act of the present Session for the improvement of the Drainage of Lands and for the prevention of Inundations within the catchment area of Lough Neagh and the Lower Bann, and also to authorise the Board of Works in Ireland to make advances, out of moneys to be provided by Parliament, for the purposes of the said Act."

MR. STOREY (Sunderland): I object to this Resolution, which proposes to make a grant of £20,000 out of moneys to be provided by the Imperial Parliament to defray part of the works to be executed in virtue of the passing of the Bann Drainage Bill. The objection which I had at first to this grant is intensified by the fact that it is no longer part of a general scheme. Further, it is proposed to give the grant to a part of Ireland which admittedly does not stand in need of it. I, therefore, feel it my duty to object.

MR. T. W. RUSSELL (Tyrome, S.): My hon. Friend after having done his best to prevent a general grant being made now objects to a local grant.

MR. COSSHAM (Bristol, E.): I shall oppose the Resolution, because I have the greatest possible objection to the application of Imperial money to local purposes. I think it is opening the door very wide.

The Committee divided:—Ayes 79; Noes 72.—(Div. List, No. 199).

Resolved, That it is expedient to make a free Grant, not exceeding the sum of £20,000, out of moneys to be provided by Parliament, for defraying a part of the costs of any works to be executed under any Act of the present Session for the improvement of the Drainage of Lands, and for the prevention of Inundations within the catchment area of Lough Neagh and the Lower Bann, and also to authorise the Board of Works in Ireland to make advances, out of moneys to be provided by Parliament, for the purposes of the said Act.

Resolution to be reported upon Monday next.

CRUELTY TO CHILDREN PREVENTION [EXPENSES.]

Resolution reported.

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of the expenses of the prosecution in Scotland or Ireland of a misdemeanour under any Act of the present Session for the better Prevention of Cruelty to Children."

Resolution agreed to.

ORDERS OF THE DAY.

LOCAL GOVERNMENT (SCOTLAND)
BILL (No. 187) AND LOCAL GOVERN-
MENT (SCOTLAND) SUPPLEMENTARY
PROVISIONS BILL (No. 188).

Considered in Committee.

(In the Committee).

Clause 19.

DR. CAMERON (Glasgow, College): I beg to move, in line 34, after "Parliament," to insert—

"Provided always, that no portion of such balance shall be paid to any school board, or to the managers of any state-aided school, in respect of any school in which any fees are charged for the teaching of any standard of the Education Code for Scotland the passing of which may be compulsory under the provisions of the Education Acts operative from time to time."

The object of the Amendment is to secure that we shall have free education in Scotland. It is necessary that this should be done after the declaration of the Chief Secretary for Ireland last night. The right hon. Gentleman told us that it is proposed to give £220,000 by means of an arrangement which is to go in the direction of relieving the poorer classes in Scotland, and he added that this concession is not giving free education. The declaration made by the right hon. Gentleman only emphasizes declarations to a similar effect which have been made by the President of the Local Government Board and the Secretary for Scotland. As the matter stands, it is pretty clear that when we get the money we shall not have free education, or anything like it. The amount of the school pence a year ago was £316,000, and it is increasing at the rate of £7,700 a year. Last year it would therefore be something like £323,000, and in the present year £330,000, while the whole amount to be granted is £220,000, leaving a deficit of £110,000. We are told that £50,000 is to be given by the Parochial Boards; but there is no provision in the Bill for transferring that sum to the general purposes of the schools, so as to meet a portion of the deficit in the school fees. As a matter of fact, we have to face a deficit of more than £100,000. It is therefore necessary that some such proviso as that which is proposed in this Amendment should be inserted. We have not yet been told what mode of distribution is to be adopted; but I presume that the only fair mode will be a grant for average attendance. But the result, if that plan is followed, will be very different in different districts. In some districts the average amount of fees paid for attendance is only 4s. or 5s. a year. That is

the case in a considerable number of the Highland School Board districts; and if the grant amounts to 8s. or 9s. for average attendance, such schools will have a considerable surplus. But, on the other hand, in a number of the School Board districts the fees are very much higher. For example, in Glasgow the average fee amounts to 10s. 9d. per child, and in Govan to 14s. 1½d., so that in those districts the highest sum received from the grant will be insufficient to secure free education; or anything like it. We are told that the grant is to be employed in freeing the lower standards; but the result will be, I fear, to take away the free education, which now exists to a large extent in some of the districts. From a Return issued by the Glasgow School Board, I find that when two children from the same family are at school they pay the school fees; if there are three, the third is only charged half fees; and where there are four or more, all except three receive their education free. The result will be that 6,000 children in the upper standards will be deprived of the free education which they at present get. The proposal has been made to free the upper standards first; but I do not think it met with any acceptance. If we are going to free only a certain number of standards, they should, from a practical point of view, be the lower standards. But it is quite different from an educational point of view. From that point of view you should free the higher standards first. If you allocate the grant to the different parties concerned on the basis of average attendance, the result will be that in those districts where the School Board have done their duty, where they have levied a considerable rate and only obtained a small amount by fees, the Board will be in a position to reduce their rates; but where they have neglected to do their duty, and have got as much as they possibly could from fees, and as little as they could from rates, the result will be that the population will be debarred from the benefit of free education altogether. Why do we ask for the allocation of this money to the purposes of free education? Because the people of Scotland want free education. If they find that in place of free education they are only getting half of it, they will be dissatisfied with the

conduct of their friends in assenting to such an arrangement. I do not ask the Government to give us any more money—they cannot give us more; but I protest against what is being done with the grants under this Bill. If a grant is given from the Imperial or National Exchequer it should be given for the purpose of promoting some object, and there is no object or consideration attached to the grants given under the Bill. In the case of the roads we might have made a bargain with the Road Trustees that they should improve their roads—that, in fact, they should give a *quid pro quo*. Now it is proposed to give £220,000 for education without making any bargain or stipulation as to the conditions on which it is to be granted. We propose to leave the whole matter in the hands of the Secretary for Scotland for this year, and then in the hands of the Education Department. I do not at all like that. The Government have said they do not consider this giving free education: they give us the money in such a way that we shall not have free education. I propose we shall have it, and therefore move—

“ That no portion of such balance shall be paid to any School Board, or to the managers of any State-aided school, in respect of any school in which any fees are charged for the teaching of any standard of the Education Code for Scotland the passing of which may be compulsory under the provisions of the Education Acts operative from time to time.”

What will be the effect of that Amendment if carried? It would be in exact accordance with the principle which has hitherto governed grants in aid of education from the Imperial Exchequer. We now pay to Scotland from the Imperial Exchequer the sum of £450,000. That amount is distributed amongst various School Boards and managers on condition that they give efficient education which is tested. I ask that this grant, which we have wrung from the Government for the purpose of free education, shall be given on the condition of free education being provided. It has been objected that my Amendment does not go far enough; that it would allow Board Schools, if they chose, to keep up fee-paying schools, provided they were content to forego the grant. I do not think that is a matter with which this House has anything to do. That

Dr. Cameron

is a matter for the ratepayers who elect the School Board. I cannot see why if the electors choose to allow their School Boards to have special selected schools they should not do so.

*MR. ESSLEMONT (Aberdeen, E.): I am sorry to interrupt my hon. Friend; but if I am in order I should like to move an Amendment in line 31.

THE CHAIRMAN: The hon. Member would be precluded from moving an Amendment to line 31 after the Amendment of the hon. Member for the College Division is disposed of. The hon. Member for the College Division is addressing the Committee, and it is within his discretion to allow the hon. Gentleman to move the Amendment he desires.

*MR. ESSLEMONT: I desire to move that the words "State aided," in line 31, be omitted, in order to insert the word "public." By the Amendment I propose to raise the question of denominational schools. While wishing to do everything possible to promote free education, but still recognizing that there may not be sufficient money at our disposal to free the five standards in all schools which are "State aided," I think it is only the duty of Parliament to make arrangements for freeing those schools which are public schools, and which are under the control of the School Boards, and have the enforcement of the compulsory clauses in our Educational Code. I quite admit that there are difficulties in moving an Amendment such as this. I recognize the fact that in Scotland the question of denominational schools is a much smaller question than in England. Yet in Scotland we have obtained public sanction for "use and wont," and the principle has worked fairly well. It is right the sense of the Committee should be taken on this point, and therefore I move this Amendment.

Clause 14, page 10, line 31, leave out "State aided," and insert "public."—*(Mr. Esslemont.)*

Question proposed, "That the words 'State aided' stand part of the Clause."

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): This is an important Amendment, and one which deserves serious consideration. The Committee will remember that the proposal drawn as the labours of the

Committee have advanced, to confer a certain sum in relief of school fees, is a proposal more or less limiting to a certain class of ratepayers the benefit which was originally designed for the whole. I do not complain of that limitation, but this is a proposal which will limit to a class the benefit which, in our judgment, ought to be universal and catholic. The hon. Member for the College Division has stated very truly that in Scotland there is a larger proportion of children attending Board Schools than in England, and in that sense it is quite true that the strength of the voluntary or denominational schools is proportionately less. But the sentiment which leads parents to keep away their children from the Board Schools and to send them to denominational schools is a very strong one, especially among the Roman Catholics, a body which has not proved itself inattentive to the educational wants of its own people, and the Amendment of the hon. Member for East Aberdeen would practically deprive of a share of the Probate Duty grant the whole of the Roman Catholic poor in Scotland. There are other bodies also in Scotland, among whom are the Episcopalians, who withhold their children from the Board Schools. On what pretence, I ask, can they deprive those bodies of any participation in that grant? I stand on the broad ground of equality and fair play, and I say that no one can justify a vote for this Amendment unless he has made up his mind that the poorest class in Scotland—namely, the Roman Catholics—are to receive not a farthing from this grant. I protest against such a proposal. The Government can be no party to imposing a penalty on the very class who ought to receive the largest payments.

*MR. THORBURN (Peebles and Selkirk): I am surprised at the quarter of the House from which this Amendment has emanated. The hon. Member for East Aberdeenshire is one of the apostles of what is called "Religious Equality," and at the same time he moves an amendment against educational equality. I hope the Government will firmly resist this Amendment, which, I think, strikes at the very root of the benefits conferred by this part of the Bill.

*MR. HOZIER (Lanarkshire, South): There is no one more strongly in favour

***MR. D. CRAWFORD (Lanark, N.E.):** I join with my right hon. Friend who has just spoken in urging my hon. Friend not to press his Amendment. I also do so with a clear conscience, because I am entirely with him in principle. More than 10 years ago I stood as a candidate for a School Board upon the principle of confining State aid to schools under State management. But I think that until our system receives some further reform, some voluntary schools would be placed at a very great disadvantage by the adoption of this Amendment. The Roman Catholic schools, for instance, in my own constituency are numerous, and they do the work well; but I suppose the effect of such an Amendment as this, if it were carried now without any alteration of circumstances, would be to kill those schools. I think that would be hardly fair. That being so, I hope the Amendment will not now be pressed.

***MR. S. BUXTON (Tower Hamlets, Poplar):** I am afraid that the proposal of the Government of a grant in aid from the rates to voluntary schools—for the Probate Duty is exactly the same as a rate—may form a precedent, and may lead to certain evil consequences in England. I quite agree that if you are going to free the schools you ought not to use the proposal in order in any way to injure the voluntary system. I am one of those who think that when the State frees the schools it ought to do it all round, and to do it on fair terms. But I do not think that we ought to allow this proposal to pass without entering a protest against it as a principle to be applied to England. I am sure that if the principle of rate aid to voluntary schools were attempted to be extended to this country it would arouse all the old denominational feuds, and greatly retard the progress of education.

MR. CALDWELL (Glasgow, St. Rollox): When it was discussed in 1872 whether religious education should be given in the Board Schools, or whether certain children should be withdrawn while religious education was being given, the voice of the people of Scotland was strongly in opposition to that of the great majority of their Representatives in this House. When the first School Boards were elected, a cry was got up in favour of secular educa-

tion, but those who supported it were considerably in the minority. It is notorious that the whole feeling of the people of Scotland is against the doing away with religious education in the Board Schools, and in favour of its retention. But as the Scotch people insist on having Protestant worship in their Board Schools, it is only fair that the Roman Catholics should have their religion taught. It is not a matter which will touch the pockets of the ratepayers, because 20,000 Roman Catholic children in Scotland are being at present educated in schools built and maintained at the expense of Roman Catholic benevolence. If these schools were abolished, accommodation in the public schools would have to be found for the children, and the public would be saddled with an enormous charge. At the present moment the Roman Catholics are paying for the education of their own children without any help whatever from the ratepayers. The Government ought not to ask more than that the children should be educated in properly-inspected schools, undergoing regular examinations.

***MR. J. A. CAMPBELL (Glasgow and Aberdeen Universities):** I can corroborate what the hon. Member for St. Rollox (Mr. Caldwell) has said with regard to the opinion and feeling of the people of Scotland on this subject, but the question before the House is, whether the proposal of the hon. Member for Aberdeenshire (Mr. Esslemont) is or is not an unfair one. I think the Amendment is most unfair, in attempting to exclude any schools which conform to the State regulations from their fair share of the grant in aid.

***MR. ESSLEMONT:** I would remind hon. Members that the 25th clause was originally introduced, not as a matter of principle, but of policy, and the same question of policy will, I believe, come up again and again, until we place our system of education on clear grounds, basing it upon religion, or excluding the religious element altogether. Notwithstanding the lecture we have received from our superior Friend the Member for St. Rollox, I do not think we shall have the slightest difficulty in maintaining the principles we hold. So far as I am concerned, I have always contended that we have no right to extract money from persons of a different faith or of no

faith at all, for the purpose of maintaining our religious principles.

THE CHAIRMAN: Does the hon. Member withdraw the Amendment?

*MR. ESSELMONT: Yes; I ask leave to withdraw it.

Amendment, by leave, withdrawn.

DR. CAMERON: I propose now to move my Amendment to provide that no grant shall be made to any State-aided school which charges fees for any of the compulsory standards. In order to supply free education, it will be necessary to provide £330,000, and as the grant will only amount to £220,000, there will be a deficit of £110,000 to meet. The average fee for public school education in Scotland is 12s. 10d. per head in Board Schools and somewhat less in voluntary schools. The £220,000 proposed to be given in aid of education will only afford about 5s. 4d. per head, so that there will be a large deficiency. It would be great waste to give a grant out of the public funds unless some distinct return is to be obtained from it. As the Scottish people desire to have free education, I ask the Committee to lay down as an essential principle that the grant shall not be given to schools which are not prepared to make education free in all the compulsory standards. If the Bill passes as it stands, the result must be that if you only give a grant of 5s. 4d. per head, the pupils in the higher standards must continue to pay fees. At present they receive their education free, but in future they will be deprived of free education. Even then the State will only pay two-thirds of the cost of the education supplied, the people of Scotland providing the rest. I am quite prepared to take the principle at present adopted, which is, that the public schools shall be subsidized out of the rates, but where we have to deal with Imperial Grants, the grants should be allocated to all schools which comply with certain conditions and are subjected to a certain amount of inspection. I am perfectly content to accept this regulation in conjunction with the new windfall which is proposed to be given, and in that way the Government, if they choose, will be able to secure free education. If that principle is not adopted, the result will, I fear, be to destroy the free education which the

people of Scotland at present possess. I certainly consider this Amendment essential, and shall go to a Division upon it if the Government are so blind as to oppose it.

Amendment moved, Clause 19, page 10, line 34, after "Parliament," insert—

"Provided always, that no portion of such balance shall be paid to any School Board, or to the managers of any State-aided school, in respect of any school in which any fees are charged for the teaching of any standard of the Education Code for Scotland the passing of which may be compulsory under the provisions of the Education Acts operative from time to time."—*Dr. Cameron.*

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: I have been in some doubt as to what blot in the Bill this Amendment is intended to strike. I had thought, and so had some of my friends, that it was intended to raise the question of what are called graded schools, but the hon. Gentleman has discussed the general question whether or not we shall give what is called free education in all the compulsory standards. The question of what we shall do is at present under the consideration of the Government, and it is impossible to determine at once what shall be done in regard to it.

DR. CAMERON: I only ask that whatever may be the amount of the grant, care will be taken that it will be made effective for the purpose of securing free education.

MR. J. P. B. ROBERTSON: According to the Amendment, no portion of the balance is to be paid to any School Board, or to the managers of any State-aided school in respect of any school in which fees are charged for teaching any of the compulsory standards. The effect, therefore, of the Amendment is to secure that no school shall receive anything unless all the standards are free. But that is the very question which is at present under consideration, and it is impossible for the Committee at this stage to come to a determination in the absence of the Government calculations. I would take it for granted that under the existing circumstances the hon. Member for the College Division does not desire to raise that question, and I feel it my duty to oppose the Amendment on general grounds.

*MR. CAMPBELL-BANNERMAN: I cannot help thinking that the Amend-

Mr. Ashmead

ment is open to the objection which has been raised by the Lord Advocate, and that that objection is reasonable. If the object of my hon. Friend is to see that before any school receives the grant all the standards taught are free, then his proposal does have the appearance at this stage of the proceeding of being an attempt to force the hands of the Government, ungraciously, and at the very moment when they are considering the best means of applying the money. I do not think that my hon. Friend quite understands the important difference between free education and the proposal of the Government—between education that is free and education with regard to which no fees are charged. That is the distinction drawn by the Government. As the Government are engaged in bridging the chasm which divides those two principles, I would ask my hon. Friend not to interfere with them at this dizzy moment.

DR. CAMERON: Then all I would ask is when the Minute of the Secretary for Scotland will be laid on the Table?

MR. J. P. B. ROBERTSON: After the passing of the Secretary for Scotland Act; but the House is already in full possession of the proposals of the Government on the subject.

*MR. CAMPBELL-BANNERMAN: Can the right hon. and learned Gentleman give us any idea how it is proposed to apply the money now at the disposal of the Government? Will it be done at this stage of the Bill or will it be deferred?

MR. J. P. B. ROBERTSON: I do not think it can be done at this stage of the Bill. There are a number of Amendments on Clause 23, which raise various questions of importance, but I do not think they can be usefully discussed in the absence of information as to the intentions of the Government. I propose to proceed on the assumption that everything will be left open for Report.

DR. CAMERON: I have no wish to appear to slight the advice of my right hon. Friend the Member for the Stirling Burghs (Mr. Campbell Bannerman), who has so ably watched the progress of this measure on the part of the Opposition. At the same time I must confess that I do not see the force of his present position. Supposing the Government give 12s. 10d., which is the

average rate, it would not secure free education. All I want is a statutory enactment that the money to be given should be given for the purpose of providing free education. If my right hon. Friend adheres to his advice I will not divide, but I think he is mistaken, because I think that the more we can din into the people of Scotland that on every point where there is a difference of opinion between us and the Government the Government always carry their point against the overwhelming majority of the Scotch Members, the better.

Amendment, by leave, withdrawn.

Amendment proposed, Clause 20, page 11, line 14, after "Zetland," add—

"Provided that, if any question shall arise as to the application of the expression 'larger burgh,' the same may be determined by the Secretary for Scotland."—(Mr. J. P. B. Robertson.)

Amendment agreed to.

Clause, as amended, agreed to.

Clause 21.

MR. J. C. BOLTON (Stirling): I beg to move, in lines 23 and 24, of page 11, after "in," to leave out "each country and larger burgh in." The object of this and a subsequent Amendment is to provide for an equitable adjustment of the local licenses account as between burghs and counties being inserted in the Bill itself instead of being delegated to the Boundary Commissioners or an arbitrator to be appointed by the Secretary of State or the Secretary for Scotland. If my proposal be accepted the whole of the duties allocated in Scotland will be paid into one fund and be divided amongst the counties and burghs in proportion to the value appearing on the valuation roll. If it be rejected a permanent arrangement will have to be made by the Boundary Commissioners, or the arbitrator failing an agreement being arrived at between the two authorities. The Bill provides that the arbitrator shall pay due regard to the value appearing on the valuation roll of the counties and burghs. I think I am right in stating that this may be taken as a direction to him respecting the course he must follow in the event of the burghs not coming to an arrangement voluntarily. I am satisfied that the voluntary arrangement will not be

arrived at. I should like to refer for a moment to a Return made to this House in the month of May last, showing the amount of business done by each county and larger burgh in Scotland under the grants from Parliament, and the amount they will receive from the License Duties. Taking my own county of Stirling, I find that the whole amount received by that county was £8,368 from the old grants, and that its share of the new License Duties will be £9,748, an increase of over £1,300. When I come to the distribution of this sum, I find that whilst the county obtained £7,001, it will only receive £6,084, a loss of £917; whereas, Stirling burgh which received £1,002 from the grant will receive £2,066. I find that if the money be divided according to the value appearing on the valuation roll, the county will receive £7,809 instead of £7,001, a gain of 12½ per cent, and Stirling burgh will receive £1,153 in place of £1,002, an increase of 14 per cent. I find that the County of Ayr, as a whole, received £16,550 from the grant, and that from the licenses it will receive £17,718. The county received £13,363, and it will receive £11,770, a deficiency of £1,600; the town of Ayr which received £1,681 will receive £2,905, and Kilmarnock which received £1,370 will receive £2,069. The same irregularity runs through all the counties. I am not quite sure upon what principle the Returns are made. The temporary adjustment provided by the Bill states that for the purposes of the distribution of the duties on local taxation licenses, the amount of such duties paid by the council of each county on the Town Council of each larger burgh shall be the amount of the duties certified to have been collected therein. Now, I cannot understand on what principle this Return is made up. Certainly it cannot be made up on the principle laid down in the Bill. If my information is accurate the great bulk of the licenses paid by the county are actually collected in one or other of the larger burghs. If that be so, I am quite confident that the amount stated to have been collected in the County of Stirling is much overstated. It must be evident, therefore, to the House that if this Bill passes as it is drafted, and the licenses be distributed according to this return,

Mr. J. C. Bolton

a great injustice will be done to the counties themselves. It may not be generally known to English Members that we have in Scotland a system of valuation which we find to be an admirable one. It is uniform throughout Scotland. It shows the actual value of all the subjects valued, if they are let. If they are not let, means are taken to ascertain what would be paid for the subject as a going concern, and that amount is entered in the valuation roll. Consequently we may expect that if the proposal I have ventured to make is accepted by the Government, the amount collected throughout the Kingdom will be fairly distributed. There is another, and to my mind a good reason why this proposal should be adopted. Hon. Members from Scotland are all aware that there is great uneasiness amongst those who support the temperance movement, as to the inclusion in the funds to be disbursed by the counties the amount of the licenses for the sale of alcoholic liquors. I confess I share that uneasiness. I cannot conceal from myself that the fact that the more licenses sold in a county, the less will be the call upon the rates, may influence some of those bodies which are now entrusted with the duty of granting licenses. I also think that if these licenses, or the amounts collected from them are paid into one general fund, the incentive or stimulus to grant more licenses than are actually necessary will be altogether wanting. For these reasons I beg to move the Amendment.

Amendment proposed, Clause 21, page 11, lines 23 and 24, after "in" leave out "each county and larger burgh in."

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. J. P. B. ROBERTSON: I can well suppose that the hon. Gentleman is well founded in his statement that a minute examination of the Returns may disclose anomalies, and require rectification. At present the Returns which are before Parliament are founded upon the Returns of the Commissioners of Inland Revenue for their own purposes. They are made up necessarily without a very complete ascertainment of the source from which the money

actually comes, because it is really for the purposes of the revenue not of primary importance to know whether a licence taken out in a town is or is not taken out by a dweller in the country. At the same time I am informed that the Commissioners, for their own purposes, have a certain amount of information as to the source from which the money comes to pay for the licence as well as the mere fact of where the licence is taken out. I quite admit, however, that the Returns are not framed with regard, in the first instance, to the question on which he is very properly so much interested. But we propose to take *prima facie* these Returns of the Inland Revenue Commissioners. Questions may of course arise upon them, and we propose, in the first place, that any two communities which are concerned in the question may by agreement adjust the account and settle any difference between them. We propose, secondly, that, failing an agreement between the parties, the Boundary Commission shall be the tribunal for settling any differences. This is one of the questions which the Boundary Commission will be a very appropriate authority to settle. The Committee, on referring to the provisions of the Bill, will see that we have had steadily in view all through the various stages of the history of this system, the raising and recurrence of the question which the hon. Member suggests. I put it to the Committee whether the mere ascertainment of how much valuation there is in a county and how much in a burgh forms a proper criterion for settling the question how many of the licences which are as a matter of fact taken out in a burgh, are likely to belong to the rural parts of the county. I should have thought that the geographical situation of the town was something to be considered. We say in the Bill that due regard shall be had to the annual values which appear on the valuation roll. The effect of the Amendment would be that no regard should be had to anything else. That seems to me to be completely unreasonable. The hon. Gentleman's plan would in some cases work adversely to the interests of the community which really paid the licences, and I think our plan is much the best adapted for obtaining justice in the very varying circumstances that are likely to arise.

*MR. CAMPBELL-BANNERMAN: Can the right hon. and learned Lord Advocate say whether, in the Return, there has been a rigid description of the geographical domicile, as it were, of the licenses that are taken out. As I understand it in certain instances, such as in the case of the town of Stirling, which is a most happily situated town, because it sucks the blood of several counties all round it, in making up the Return I believe an honest attempt was made to ear-mark each particular license so as to show the locality with which it is connected, and they are not all credited to the town of Stirling. Can the right hon. and learned Gentleman say whether that was the principle acted upon in making up this Return?

MR. J. P. B. ROBERTSON: I would rather speak of the practice than the principle, because the Commissioners of Inland Revenue have only incidentally to deal with the question of whence comes the license; but there are materials at the disposal of the Inland Revenue by which, in some cases, they can ear-mark the licenses in the way suggested by the right hon. Gentleman.

SIR G. CAMPBELL (Kirkcaldy): My only objection to the plan of the Government is that it seems to be a great deal too flexible. Regard is to be had to valuation, to the real locality of the licenses, and other things according to the opinion of the Commissioners. The rule proposed by my hon. Friend would be intelligible; but I must say I think that some stringent rule should be adopted.

*MR. J. WILSON (Lanark, Govan): I am sure I speak the sentiments of the Scotch Members when I say the temperance party in Scotland are feeling very much aggrieved by the idea that they are to have any hand whatever in dealing with the question of public-house licenses. I hope the Lord Advocate will see his way to keep the licenses in the hands of the Imperial Government. I am sure, if he could see his way to give the Scotch people an equivalent—

THE CHAIRMAN: The hon. Member is travelling away from the Amendment before the Committee.

*MR. J. WILSON: I was just desirous, Sir, of pointing out that, if the Lord Advocate could see his way to give us the Inhabited House Duty instead of

the License Duty, it would be agreeable to the Scotch people.

MR. HUNTER: This Amendment raises a very important question, and I hope Her Majesty's Government will, before the Report stage, seriously consider what arrangement they are able to make upon the subject. The scheme provided by the Bill is one by which the licenses will be collected by the Imperial authority and handed over to a certain fund for distribution by the County Council; and I trust the Government will endeavour to ascertain whether the entire plan will not be needlessly complex and embarrassing. Would it not be much better to pay over the whole amount derived from these licenses to the Scotch Department, and allow it to hand to the various county and burgh authorities the requisite sums governed by the principles that have heretofore prevailed? The result of splitting up the fund and paying the County Councils in the way proposed will be the raising of exceedingly difficult questions as between counties and burghs. The hon. Member for Stirlingshire (Mr. Bolton) has pointed out some of the difficulties that may be anticipated, and the Lord Advocate is well aware that the principle on which this clause proceeds must give rise to questions of extreme complexity—questions as to which it is impossible to arrive at anything but a rough and approximate conclusion. Another result I desire to point out is that not only will difficulties arise as between county and burgh, but also as between the northern counties, which have but sparse populations, and counties in which the populations are more dense; and the result will be to create a doubt in the highland counties as to the £8,000 which the Government propose to take from the Probate Duties. It would simplify the collection with respect to the Probate Duty and the School Board rules, and the general finances of the counties if the *status quo* were reserved, at least for a time. If the Government would only hand over the whole of the License Duties to the Scotch Department that would greatly simplify the question; and if the School Boards were allowed to charge fees in graded schools that would put the finances of the School Boards on a satisfactory footing, and would give a balance instead of a deficiency. It

may be said that the English Act has introduced the principle of taking the county as the unit; but it should be remembered that one of the counties of England is the County of London, which is practically as populous as the whole of Scotland. This being so, I ask why should you not treat Scotland as you treat London? No doubt you will find immense objections raised to giving the licenses to the County Councils; but, on the other hand, if the licenses are dealt with as a separate fund the temperance party will have no objection. Taking all these things into account, I think the Government would be well advised if they were to take the matter into serious consideration, with a view to some modification of their present proposal.

*MR. ESSLEMONT: For my own part, I am disposed to accept with all possible gratitude the concessions made by the Government; first, in the matter of simplicity, and then in deference to the claims of justice. I think the Amendment would effect a great improvement in point of simplicity, while nothing would be sacrificed on the score of justice. The question as to which the largest amount of difficulty exists is, undoubtedly, that of the licenses for the sale of intoxicating liquors. There is no doubt that the local interest in these licenses would form a temptation on account of the revenue they yield; but I think that this proposal would remove that temptation and prove satisfactory to all parties concerned. I hope, therefore, the Government will consider this proposal in a serious manner, because if there is no disadvantage, while it evidently tends to promote simplicity and justice without raising difficult questions as between counties and burghs or one county and another, much good may be gained by the adoption of such a course.

*MR. M'LAGAN (Linlithgowshire): There seems to be no doubt that some rough justice may be secured under the plan proposed by my hon. Friend (Mr. Bolton); but, at the same time, it may also involve a considerable amount of error and some degree of injustice. For my own part, I shall support it, because it will enlarge the area over which the money for licenses in Scotland will be obtainable; and I hold that it would be

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a good plan to put all the License Duties into the hands of the Scotch Department for distribution among the County Authorities. The Scotch farmers would, I think, prefer that the Excise Duties for the sale of intoxicating liquors should be taken out of the schedule altogether, and that something else should be substituted; and in this view I have placed an Amendment of my own upon the Paper. With regard to the Amendment now under consideration I give it my support, on account of its simplicity and justice.

*MR. D. CRAWFORD (Lanarkshire, N.E.): It appears that the Lord Advocate attaches weight to the principle that the money derived from a particular area or place should go back to the source whence it comes. That might be a fair and advantageous plan under certain circumstances; but the reason why I think it would not be advantageous under such a Bill as this is that you do not give to the different localities any power or interest in the management and economy of these licences. If you did that I should be entirely with the Lord Advocate. If you were able to hand over a source of public revenue to the counties, and say, "You may reduce or increase these licenses as you please," there would be a stimulus to providence and economy; but there is no such stimulus when the amount is fixed by the Imperial Parliament, and consequently the return of the money to the derivative source is an object of no moment whatever. When we are discussing how these arrangements are to be made, Her Majesty's Government ought to consider what, in previous portions of the Bill, they have, I think, so little recognized, and that is, what we want to arrive at is an arrangement that will be acceptable to the people of Scotland. I say that if the money is put into a common fund, and is divided as my hon. Friend has proposed, not a voice in Scotland would be raised against such a system. It would be found perfectly satisfactory; whereas a settlement as between county and burgh would in many cases be most difficult, while it is hard to say that on such a plan justice would in the end be arrived at. No doubt this is to be done by the Boundary Commissioners, who, I hope, will be put out of the Bill; but, in the

meantime, with all their labours, we shall get no security for arriving at a satisfactory result such as may be effected if this Amendment be accepted.

*COLONEL MALCOLM (Argyllshire): Sir, the clause would be perfectly certain to lead to conflicts between the boroughs and counties, as regards the distribution of licences—I do not mean simply licences for the sale of intoxicating liquors; there are a great many other licences which are to be handed over to the County Council. The mere fact that the distributor of stamps lived in the burgh where these licences are mainly taken out might lead to dispute. There will be considerable difficulty in tracing the exact spot where these licences originated — whether they properly belonged to the county or to the burgh. I am afraid that the clause as it stands would lead to considerable friction between the counties and the burghs.

MR. J. P. B. ROBERTSON: No doubt a number of questions may be raised; but, as I have already pointed out, we have anticipated their occurrence and provided for their settlement in a way which would avoid any undue friction. The alternative proposal to that of the Government has undoubtedly the merit of simplicity. And why have we not chosen the easy and the lazy path of massing the whole and distributing one-fourth? The plan of the Government has the merit of assigning to each locality what has been taken out of it. There might be incidental questions as to one particular licence or different licences, but we have provided the means of settling those questions. In the earlier stages of the Bill we considered all those objections, and the Government thought the balance was in favour of the plan embodied here. But as our financial proposals are under consideration, we will give attention to this proposal. Frankly speaking, however, I do not think the evidence preponderates in favour of the Amendment.

*MR. CAMPBELL - BANNERMAN: I am very glad to hear that the right hon. Gentleman has a somewhat open mind on the question, because I think there is a great feeling in Scotland against the proposal that the localities should receive the results of their own public house licenses, and thus have a direct interest in the increase of the

revenue derived from that source. That is really the root of the matter, as the Bill at present stands. If the Government could find their way to a reconsideration of this matter, and to avoiding the difficulty, I am sure that it would give very great satisfaction throughout Scotland.

MR. HUNTER: I should like to point out to the right hon. Gentleman, in reference to the principle of not giving the revenue to the place where it arises, that the £10,000 out of Probate Duty should go to the Highland towns.

MR. J. C. BOLTON: I desire to thank the Lord Advocate for the course he has intimated he will pursue. But I should like to point out that the very reasons which he gives—namely, having provided for the settlement of disputes, to me are strong reasons in favour of my Amendment. It is exactly because I anticipate a recurrence of difficulties that I do not wish this clause to stand. I think the Lord Advocate has exactly hit the mark in the last paragraph of the sub-section, wherein he says—“making such final adjustment with due regard to the annual value.” What is the meaning of “due regard”? Is it not to be a guide to those gentlemen in arriving at their awards? I am not wedded to my own proposal if a better one can be suggested; but I urge upon the Lord Advocate that whatever plan be taken, let that plan form a portion of the Bill, and do not let us have to apply to an arbitrator for the settlement of difficulties. These arbitrations are very expensive and extravagant things, and I do not think they suit the Local Authorities or the taxpayers. I beg to withdraw my Amendment.

Amendment, by leave, withdrawn.

The following Amendments were agreed to:—

Page 11, line 28, leave out “First.”—(Mr. J. C. Bolton.)

Page 12, lines 5 and 6, leave out “the Acts of 1889,” and insert “this Act.”—(Mr. J. C. Bolton.)

Page 12, line 27, after “punishments,” insert “interferences.”—(Mr. J. C. Bolton.)

Clause, as amended, agreed to.

Clause 12.

Amendment proposed, in Clause 12, page 15, line 28, after “clauses” add—

“Mr. Cameron’s Amendment.”

“In the construction of sub-section 5 of section 5 of ‘The Customs and Inland Revenue Act, 1889,’ the reference therein to section 5 of ‘The Probate Duties (Scotland and Ireland) Act, 1888,’ shall be read as if it were a reference to this section.”—(Mr. J. P. B. Robertson.)

Question, “That those words be there added,” put, and agreed to.

Clause, as amended, agreed to.

Clause 23.

Amendment proposed, page 13, line 34, leave out all the words after the word “applied,” to the word “towards,” page 14, line 22.—(Mr. Hunter.)

Question proposed, “That the words proposed to be left cut stand part of the Question.”

DR. CAMERON: Before that Question is put, Sir, I suggest that this clause be postponed, and that, in the meantime, the Government should reconsider their financial proposals. They are bound to give us some indication of their proposals, and if the clause were postponed, we would have time to consider them, and would not be required to give them a blank cheque in regard to their plans. We are now totally in the dark as to their financial proposals, with the exception of the £10,000 to the Highlands. It appears to me very much to be desired that we should know something about them before this Bill leaves Committee. It is not satisfactory to yield these matters in Committee, and take them on Report—which will come on at a late period of the Session, when our proceedings are marked by lassitude, and when many hon. Members are absent. I withdrew my Amendment on the temporary clause in deference to the right hon. Gentleman; but I am perfectly certain that a straightforward Division upon it would have afforded the Government an indication of our opinion, when they came to reconsider their financial proposals. I can see no necessity for pushing on this particular clause at this particular moment. We have two Bills before the Committee, this and the Supplementary Provisions Bill. The Committee has power to consolidate those Bills, and doubtless will do so if the Government withdraw this clause and bring forward their proposals in the form of a new clause, and insert it in the Consolidated Bill. We would then have ample

means of knowing what they are going to do before this Bill passed from Committee. I cannot see the use of putting in the clause as it stands. It does not, we are told, embody the ultimate view of the Government, and the clause will require to be remodelled. Let us have an opportunity of considering the proposals of the Government in a tangible form. If we were to introduce Amendments on Report, the public would not understand their meaning, as they would in Committee, when they would be able to gather their continuous meaning. I move that the clause be postponed.

Question proposed, "That the Clause be postponed."

***MR. CAMPBELL-BANNERMAN**: I am not altogether surprised at my hon. Friend taking this course, because, at all events, it offers us an opportunity of asking the Government when they will be able to give us the information he desires. It was at one time suggested that the details of the new scheme should be explained on the Report stage; but I agree with my hon. Friend that if we are not to have them till then, and if we are not to know how the money is to be applied, we shall be placed in considerable difficulty. The Government will also be placed at a disadvantage, because they will not have a fair chance of knowing what the opinion of Scotchmen is. I would appeal to the Government whether or not, before the Bill leaves Committee, they cannot give us information on this subject? If they cannot give details they might make a general statement of the outline of their proposals in order to enable us to judge of their nature. I think it would be better to reserve the discussion on this clause until we know what is intended.

***THE FIRST LORD OF THE TREASURY**, (Mr. W. H. SMITH, Strand, Westminster): I think the House is entitled to have, at the earliest possible moment, an outline of the new proposals of the Government, and I will undertake it shall be given before the Committee stage is closed. But I think it would be inconvenient to postpone the consideration of the clause; and I hope the Committee will accept my assurance that, if before the Debate is closed, we are unable to give the minute details of the scheme, the general scope of the new

proposals shall be indicated to the Committee.

SIR GEORGE CAMPBELL: If we pass this clause now, and the information is communicated to us afterwards, are we to have an opportunity of discussing it in Committee? If not we shall be placed at a great disadvantage. In regard to the transfer of certain licence and other duties, I have drawn out a few figures which show the position of Scotland. I find that in England the total of Parliamentary grants hitherto received has been £2,615,412. The licences transferred amount to £2,986,134, so that England gains £370,722, or about 13 per cent. In Scotland, however, the Parliamentary grants amounted to £329,709, and the total of the licences transferred to £323,341, or a loss of £6,368, about 2 or 3 per cent.

***MR. W. H. SMITH**: The Government will consent to postpone this clause.

Question, "That this Clause be postponed," put, and agreed to.

Clause 24 agreed to.

Clause 25.

Amendment proposed, page 15, line 39, to leave out after "authority," to "Act," inclusive in line 42, and insert—

"A sum equal to one-tenth of the cost of the materials and labour employed in the maintenance of roads (excepting, in the case of a burgh, streets or roads which were not turnpike roads or roads maintained by statute labour or by rates levied under a County Road Act) by such authority during the preceding year."—(*The Lord Advocate.*)

MR. CALDWELL: The effect of this Amendment is to leave the county ratepayers paying six times as much as the burgh ratepayers. I recognize that in this matter the Government have taken away one-half of the grievance; and as I do not wish to put any obstacle in the way of the progress of the Bill I will content myself with a mere protest.

Amendment put, and agreed to.

The following Amendments were agreed to:—

Page 16, line 1, after "Act," insert "and of Section 76 of 'The Police Act, 1857.'"—(*Mr. J. P. B. Robertson.*)

Page 16, line 23, leave out "assessor," and insert "county clerk and town clerk."—(*Mr. Hozier.*)

Page 16, line 27, leave out "assessor," and insert "clerk."—(*Mr. Hozier.*)

Question proposed, "That Clause 25, as amended, stand part of the Bill."—(*Mr. J. P. B. Robertson.*)

MR. CALDWELL: I wish to point out that while according to the Bill the sum payable to the Local Authority was to be a fixed sum, now it is a variable sum. I quite admit the Lord Advocate's contention on this point; but there is the danger that the expenditure on the roads will go on increasing, and the amounts payable to the Local Authorities will rise in a corresponding degree. I fear the Government are not carrying out the arrangement made last night that the sum paid should be £35,000.

MR. J. P. B. ROBERTSON: This is a matter which will have to be adjusted when the new scheme is decided upon.

Question put, and agreed to.

Clause 25, as amended, added to the Bill.

Clause 26.

Amendments made.

Question proposed, "That the Clause, as amended, be added to the Bill."

MR. ANGUS SUTHERLAND (Sutherland): I beg at this stage to enter my protest against the police being under the Secretary for Scotland. I think the County Councils in the counties and the Town Councils in the boroughs are the best authorities for dealing with them. I suppose the excuse for this arrangement is that the police, under this Bill, are paid entirely out of the proceeds of the Probate Duty. I think it, however, my duty to enter a protest against the continuance of a system which aims at centralization and no other object.

Question put, and agreed to.

Clauses 26 and 27 added to the Bill.

Clause 28.

Amendments made.

***MR. HOZIER:** I beg to propose the substitution of the words "Commissioners of Supply" for "Justices of any county." I may mention that the only

property possessed by Justices of any Scottish county, in their corporate capacity, is an official copy of the Acts of Parliament.

Question proposed, Clause 28, page 18, line 30, leave out, "Justices of any county," and insert "Commissioners of Supply."

MR. J. P. B. ROBERTSON: I cannot accept the Amendment.

Amendment, by leave, withdrawn.

Clause 28, as amended, added to the Bill.

Clause 29.

Amendments made.

Question proposed, "That Clause 29, as amended, be added to the Bill."

MR. CALDWELL: May I point out that as the clause stands it may happen that while one account at the bank is overdrawn and a heavy charge being made for interest on the overdraft, another account would have a large balance. Could not an arrangement be made to prevent a county in such cases being saddled with a charge for interest?

MR. J. P. B. ROBERTSON: I will consider that point before the Report stage.

Question put, and agreed to.

Clause added.

Clause 30.

Amendment proposed, Clause 30, page 19, line 41, after "control," insert "or for which it is responsible in whole or in part."

Question put, and agreed to.

DR. CAMERON: I have to move a further Amendment to this. At present the clause reads "the rate shall be uniform on all rents within the county." I shall move the addition after "shall" of the words "subject to the provisions of this Act." What I wish to call attention to is the effect which this clause will have on the underground works of water companies and gas companies. The people of Glasgow are greatly interested in this subject. If the Bill passes as at present framed, the result will be to introduce a new mode of rating for these gas and water-works under ground. I believe now they are only rated at a fourth of their

value for every other purpose. Under this clause they will be rated at their full value. The learned Lord Advocate knows perfectly well that this is a subject upon which a great deal of feeling exists in Scotland. Last year a Committee was appointed to consider this subject, and I believe they took a great deal of evidence, protracting their labours so far into the Session that there was not time enough left for a Report. The Committee has been appointed again, I understand, but no action has been taken in the way of having the Members called together, so I do not see how it is possible to have a Report on the subject considered this year. However this may be, gas and water companies will with cause consider themselves very harshly treated if they have the case decided against them as in the Bill, and find themselves placed on a less favourable footing than they have had hitherto in connection with other rates. For the purpose of giving the Lord Advocate the opportunity of making some explanation as to the Government intention on this matter of rating gas and waterworks, which, as he knows are, in Scotland, chiefly in the hands of municipalities and towns, I move the Amendment.

Amendment proposed, line 41, to insert after "shall" the words "subject to the provisions of this Act."

MR. J. P. B. ROBERTSON: I am not quite sure whether the raising of the point involved is not inconsistent with the decision we arrived at two or three nights ago, on the invitation of the hon. Member for Dumbartonshire, who made a proposal affecting certain words in regard to rating, and that Amendment was not adopted by the Committee.

THE CHAIRMAN: It was withdrawn.

MR. J. P. B. ROBERTSON: The statement I was about to make will, I think, meet the case. The proposal of the hon. Gentleman is this, that in regard to the Public Health Act we should introduce a change in the incidence of rating. As the hon. Gentleman says, the underground property of these undertakings is at present rated for Public Health purposes at a quarter of its value on the valuation roll, and the effect of the Bill would be to do away

with that abatement, and this property would accordingly be rated at its full value. Representations have been made to us on this question. I am bound to say—and here I may be considered, I am afraid, a backslider from the principle I have laid down on other occasions, not to introduce charges not strictly for the purposes of this measure—I thought this clause did afford a desirable opportunity for the simplification of the collection of the rates, and on that ground our proposal was made. It is difficult to justify the difference in the system of rating in one part of the country to another. But the substantial objection is that the theory of this Bill is that we are not going to alter the incidence of rating except so far as that it is indispensable for the machinery we are establishing by the Bill. Now I cannot say that this change is indispensable, and it would create or continue an anomaly. At the same time it is quite fair to those interested to say that we did not give notice in the Bill that we were going to revise the incidence of rating. Therefore, I think, it would be better to leave the Public Health Act rates to fall as they have fallen previously to this change. The hon. Gentleman will remember that the Committee made a copious examination into the incidence of rating, and the evidence suggested to our minds that there might be reforms perfectly easy of adjustment. But I think we ought to do the whole thing at once, to undertake it as a substantial question, not in incidental pieces.

*MR. J. B. BALFOUR (Clackmannan, &c.): I am glad to hear this statement from the Lord Advocate, for, on more careful consideration of this clause and the subsequent clause, it certainly does appear to me that a good deal of practical difficulty would arise. I rather gather from the earlier part of Clause 30, that it was not the intention of the Government to affect the incidence of the consolidated rate, because there are some words that provide that the separate rates which go to make up the rate shall be dealt with under the particular Acts which authorize their being levied. But line 20 does not agree with that, and I am afraid it would be held to have completely altered the incidence of taxation. Now, that

would certainly be a large subject to introduce into the Bill, and I am glad the Government do not propose to do this. I do not know that any of us are prepared with Amendments to prevent that being done, but perhaps the Lord Advocate will consider the matter between this and Report, and will suggest some saving clause, to be introduced into the Supplementary Bill, with reference to a number of Acts that apply to different purposes. I have a list of Acts here that deal with the incidence of rating, which is to be left untouched by the Bill. This, I think, will be a simple and satisfactory course. As the result of the evidence taken by the Committee on Rating and Valuation in Scotland, I hope we may before long consider this matter in a separate measure.

MR. J. P. B. ROBERTSON: I think the clause as it stands would give rise to questions we desire to avoid. It would be better to put an explicit declaration into the clause that the incidence of rating under the Public Health Act should not be altered. That will be the simplest course, and if hon. Members will confer with me, we will on Report insert an Amendment, making the intention clear that the rates shall fall exactly as before except where they are expressly altered.

*MR. J. B. BALFOUR: I shall be glad to communicate with my right hon. Friend, and give him the list of the other Acts to which I refer.

SIR ARCHIBALD ORR EWING (Dumbarton): What the right hon. Gentleman has said refers also to the "Roads and Bridges Act."

MR. J. P. B. ROBERTSON: Yes.

MR. CALDWELL: In the Police burghs under 7,000 inhabitants the police rate is assessed on the property of gas and water companies at a fourth of the value, but according to the words of the Bill it would be assessed on the full value.

MR. FIRTH (Dundee): I would ask whether it is intended that the alteration shall extend to the provisions of the 5th sub-section?

MR. J. P. B. ROBERTSON: The deductions are under the 57th section of the Poor Law Act. The only rate we touch or transfer from the Parochial Board is the Public Health Act, therefore these abatements apply only to the

poor rate, but what I have said applies, and that we must leave them as they stand.

DR. CAMERON: I think the statement of the Lord Advocate is most satisfactory. I am sure it will give great satisfaction in Glasgow, where this is a matter of considerable importance.

Amendment, by leave, withdrawn.

Other Amendments made.

*MR. DONALD CRAWFORD: The Amendment I have to propose is a small step in a direction, in which, I think, the Government might have gone further than they have. I shall move it, but shall judge by the reception it meets with whether I ought to persist in the Amendment. I propose that the consolidated rates shall be collected with the poor rates, and that Section 44 of the Education Act shall, with the necessary alterations, apply to the collection of the consolidated rates. It is important to the ratepayers that they should know from the one sheet presented to them what it is they have to pay, and it is also important that the staff of collecting officials should be reduced to a minimum. It is true the areas of the consolidated rates are not identical, as is nearly the case in the school rates and parochial rates, though the school districts are not unfrequently in different parishes, but I think the plan I propose will be attended with considerable convenience and economy. Without enlarging upon it I beg to move.

Amendment proposed, page 20, line 23, insert—

"44 The consolidated rates shall be collected along with the poor rates, and section forty-four of 'The Education (Scotland) Act, 1872,' providing for the collection of school rates by parochial boards, shall apply, with the necessary alterations, to the collection of the consolidated rates."

MR. J. P. B. ROBERTSON: This Amendment certainly raises a subject of considerable interest, and I am aware that there has been much discussion in Scotland as to the best means of arriving at that desirable result—the collection of rates, as far as possible, by the same officers. I have seen many suggestions in this direction. The most ambitious reformers would desire to see all rates collected by one officer, and as far as possible the demand for payment made upon one street, and there is no question

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this would have the advantage of simplicity. Something of the kind has, I believe, in America, been reduced to a working system. No doubt if such a system could be applied it would save the ratepayers from all uncertainty as to the total amount of their liability for rates and from the constant worry of several officials calling at different times for different rates, all of the same class. I am altogether at one with the hon. Member in his aspiration towards simplicity. But we find ourselves faced by practical difficulties. We shall have to obtain more or less the assent and co-operation of different Boards and different officials with real or supposed privileges, we should have so many different opinions to reconcile, so many and diverse interests to harmonize that we judged it more prudent to abstain from conjuring up a host of enemies and difficulties. But to return to this particular Amendment, I do not think this specific reform is a good one. My attention has been called to the comprehensive statistics of collection, which show the amount of arrears left under a system of parochial collection and of county collection in different localities, and these seem to point to the advantage of the collections being made upon a wider area than the parochial. One would suppose that the balance of convenience would be with the smaller area, but I suspect that the fact of the arrears being incomparably larger in the smaller area is due to the fact that the collector in the smaller area is the personal acquaintance of his debtors, and shows an amount of difference to their reluctance to make prompt payment that does not contribute to the efficient financial administration of the locality.

MR. CHILDERS: I was on a Committee some years ago which inquired into this subject; but, unfortunately, except in the Metropolis, Parliament has not done much towards the consolidation of the collection of rates. The information I gathered leads me to make the suggestion that the collectors who represent the larger areas, not the smaller areas, should undertake the whole collection, and that power should be taken by the Secretary for Scotland, or some Department of Government, to prepare, after consultation with the different officials, a

schedule of regulations for the collection of all rates. This is too complicated a piece of work for Parliament to undertake in a Bill, but it is not too intricate for the Government to arrange in accordance with some general rules, which might be expressed in the Bill. I would suggest the Government might draft some such clause, to provide for the collection of all rates, and I should say taxes also, through one channel, under regulations to be framed by Government. It is difficult to express in the Act the minute regulations necessary for the purpose; but it would not be difficult for the Government, after consultation with the officers, to prepare a scheme.

*MR. DONALD CRAWFORD: Before asking leave to withdraw my Amendment, I should like to make two observations. With regard to the interesting remarks of the right hon. Gentleman who has just spoken, I may say that naturally in approaching this subject I was anxious to make the collection of the rates apply to the larger rather than the smaller area, but in consequence of the way in which the Bill is framed, unfortunately as I think, and as I said on the Second Reading, I believe I should not have been in order in proposing that the parochial and educational rates should be collected by the County Authorities, or I would have taken that course. As to what the Lord Advocate has said as to the larger amount of arrears in the smaller areas, I attribute the difference to the fact that in the counties the rates are levied upon the owners exclusively, whereas the parochial rates are levied upon owners and occupiers, some of the latter being very poor men.

MR. CALDWELL: Something also is due to the mode of collection. It is also to be considered that for the poorer classes it might be very inconvenient to have the rates collected all at the same time. It is the rule to combine the rates in London, but then the collections are made half-yearly, or even quarterly. If you combine the rates in one total, you should have the collections at half-yearly intervals at least.

MR. BUCHANAN: With the suggestion of my right hon. Colleague, perhaps the Lord Advocate will also take into consideration another part of the subject which I have before brought

under his notice. There is not only the inconvenience of the rates being collected by the authorities at different times, but there is also this grievance, that the collection is made at the most inconvenient time of the year for the exigencies of the poorer classes. Their work is often not continuous, and they are much better able to pay in the summer than in the winter.

*MR. CHILDERS: I quite concur in the remarks of my hon. Colleague. The point is not so much collection of the whole rates at one time, as that one notice should contain all the demands. The actual collection could take place at such times as may be most convenient. I hope the Lord Advocate will take my suggestion into consideration.

MR. J. P. B. ROBERTSON: Certainly; I am very much obliged for the useful suggestion the right hon. Gentleman has made. But I do not know whether it is possible to confer such a general power without going somewhat into detail to enable the Secretary of State to oust the various interests now existing. However, I will consider whether such a provision can be introduced into the Bill.

Amendment, by leave, withdrawn.

Amendment proposed, page 20, line 23, after "any," insert "ordinary normal."—(Mr. Fraser Mackintosh.)

MR. J. P. B. ROBERTSON: I have given this Amendment the consideration it undoubtedly deserves, but I am bound to say it is not one I am prepared to adopt. The scheme we propose is that a purely ministerial duty shall be performed by the Sheriff, that he shall ascertain, as a matter of fact, what has been the amount of each of the several rates during a period of five years, that he shall not do more than find out the facts. Now, this Amendment proposes that the Sheriff shall consider not only the facts but the circumstances that gave rise to the amount being assessed. The hon. Member desires to arrive at the normal rate, and that is a very legitimate object to have in view. We desire to stereotype what has been the normal expenditure, but when we come to put into a clause of the kind such words as these, we impose on the Sheriff an amount of examination and

consideration that must surely lead to endless questions upon the circumstances that would be laid before him, questions that I think it would be undesirable to raise unless we provide some process by which they may be determined. Reluctantly I must refuse assent to the Amendment, but I think that the five years average will be the best means by which the normal expenditure can be ascertained. If it can be shown, however, that ten years or any other number of years will more correctly represent the truth of the matter, I am willing to adopt an Amendment in that direction. My objection to this Amendment is that it introduces an element of doubt and discretion, which should not be left to the determination of the official in question, while an appeal would make the provision useless.

Amendment, by leave, withdrawn.

*MR. M'LAGAN: The object of the Amendment of which I have given notice is to render more simple and uniform the incidence of rating in counties and towns. Whatever the division of the rates in the first instance, it is immaterial. The rates must ultimately fall upon the landlords. The objections I have to this is that it will stereotype the rates, and I would suggest that you should assess both landlord and tenant, and allow the tenant to demand back from the landlord every year during the currency of the lease what he pays. There is no saving for the tenants in the present proposal. One reason I have for favouring this Amendment is that it will enable us to dispense more readily with the Commissioners of Supply. If the Committee wish to come to a decision upon it, I am prepared to move it, otherwise I do not wish to take up the time of the Committee, but I consider it of great importance that the incidence of the rating should be as uniform and simple as possible. I will move the Amendment standing in my name.

Amendment proposed, Clause 30, page 20, after line 25, leave out to end of Clause, and insert—

"The occupiers shall have a right of relief during the currency of their leases against the owners for the proportion of the rate paid by them each year."—(Mr. M'Lagan)

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. Buchanan

***MR. CAMPBELL-BANNERMAN:** If that had been done, which I wish had been done in the Bill—that is to say, if the Commissioners of Supply had been put an end to, and the County Councils had been entirely in charge of the whole affairs of the county, I should have supported willingly the Amendment of my hon. Friend. I am quite aware that an attempt has been made in certain quarters to treat this as a matter in which a little party damage might be done to one side rather than to the other. I do not think much would be made in reality of any such attempt. I do not think the Scotch tenants are so confused in their minds as not to see that in reality they would not be injured one bit by the proposal of my hon. Friend. But while I would have supported it willingly if we had abolished the Commissioners of Supply, I can see no reason for disturbing the proposal of the Bill if the Commissioners of Supply are retained.

DR. CLARK (Caithness): Generally speaking, if any privilege is given to the farming class, the existing leases are always exempted from the privilege; but when any burden is to be placed on them, the landlords do not generally exempt existing leases. I think that, until existing leases expire, the tenants should be exempt from the rates and the burden should remain on the landlords. My hon. Friend knows very well that, when the School Board rate was imposed by a Liberal Government, they did not carry out this principle of exempting existing leases, and that the new burden was imposed upon leaseholders. In the Highlands a Liberal Government exempted leaseholders from all the benefits they were giving to everybody else, and the result has been much agitation and violence. I think that the present Opposition Leaders, when they were on the Treasury Bench, were generally wrong on this subject, and that they are again wrong. I trust my hon. Friend will insist on a Division on this point, upon the principle that men who have entered into bargains should be exempted from new burdens.

MR. DUFF (Banffshire): I do not think my hon. Friend who has just sat down precisely understands the nature of the Amendment. My hon. Friend (Mr. M'Lagan) wishes merely to simplify the Bill and to get rid of the Commis-

sioners of Supply. I must take notice of one remark that fell from the right hon. Gentleman the Chief Secretary for Ireland the other evening. The right hon. Gentleman said he was not prepared for the violent proposal I advocated—namely, the division of the rates. I would like to ask to whom it does violence. It is perfectly obvious that it will do no injustice to tenants under existing leases, and I do not see how it can do injustice to tenants who enter into leases in the future. The whole amount of this rate amounts to £153,000, but in that is included the amount attributable to the Contagious Diseases (Animals) Acts, which is leviable on both landlords and tenants. If you deduct that amount the sum payable by landlord and tenant is £151,000. The whole rateable value for agricultural purposes is £13,000,000. The £75,000 put upon tenants as an additional rate would, I think, very much simplify this Bill, and would really relieve the Government from the very embarrassing position in which you will place county government by this dual control of Commissioners of Supply and County Council. I must repudiate any charge that in doing this we are imposing any injustice on the tenants of Scotland.

***MR. M'LAGAN:** My reason for putting down this Amendment was to enable us to dispense with the Commissioners of Supply. The hon. Member for Caithness (Dr. Clark) spoke of the burdens on the tenants; but he forgot to say that if the landlords, who used to pay all the school rates, were relieved of those rates, they were also deprived of the power of managing the schools, and that power was given to the ratepayers. The tenants formerly paid the road rates, which were afterwards laid on the landlords. It must not be supposed, therefore, that Parliament makes any distinction in this matter between landlords and tenants. We try to do justice to both. After what has passed, I think it scarcely necessary to divide the Committee.

Amendment, by leave, withdrawn.

Amendment proposed, Clause 30, page 20, line 28, leave out "of the county," and insert "excluding his substitutes."—(Mr. J. P. B. Robertson.)

DR. CLARK: I think the meaning of this Amendment is to prevent the Sheriff Substitute acting. I think it

would be very much better to leave the matter in the hands of the Sheriff or his substitute. I know that in some of the Northern counties there is every confidence in the Sheriff Substitutes, but very little confidence in some of the Sheriffs. The appeals from the Sheriff Substitutes are not generally overturned at the Quarter Sessions, whilst the decisions of the County Sheriffs are very frequently upset, and the Judges frequently express their contempt for those gentlemen. I think it would be far better to have the clause as it was. I shall oppose the Amendment.

MR. CALDWELL: I do not see any necessity whatever for excluding the Sheriff Substitutes. It is quite usual that in cases where the Sheriff is authorized to act his substitute may act, and it is well-known that in Scotland the substitute is the more important judicial functionary. There are great complaints in Scotland about the Sheriffs, who probably hold office for the sake of drawing a salary. The Sheriff Substitute is the local man who does the whole practice in the county, and who is resident in the county. The whole judicial administration is under his charge, and he does the whole of the work with the exception of an occasional appeal to the Sheriff. We all know perfectly well in Scotland that the object of keeping up the position of Sheriff is to give salaries to a certain number of Advocates in Edinburgh. I think it is casting an aspersion on the Sheriff Substitutes to preclude them from exercising this jurisdiction, which they are equally well able to carry out as the Sheriffs.

*MR. CAMPBELL-BANNERMAN: On the ground of English grammar will not the clause read better as it is? In the definition clause the word "Sheriff" is said to include Sheriff Substitutes. The one word may include or exclude the other word; but surely we cannot speak of the Sheriff himself as "excluding" his substitutes.

MR. J. P. B. ROBERTSON: I shall be quite prepared to alter it to "but not his substitute."

MR. J. B. BALFOUR: I do not think it is a matter of very much importance. I can quite understand what has prompted the introduction of the Amendment, as this is not a judicial but a ministerial office, to be exercised

once and no more. I should imagine that in general the Sheriff would himself undertake this duty, but in case of illness or absence some latitude might be allowed.

MR. J. P. B. ROBERTSON: This is a more or less responsible duty, and has to be done once for all. The Sheriff Substitute is resident on the spot, and as there might be some local differences it would be more suitable to have a non-resident Sheriff, a man of independent position, and one altogether free from local bias. It is not, however, a matter of very great importance. It is to be observed that the Sheriff will have it in his power to determine whether he or his substitute should do the work, and I think the Amendment may be left as it stands. It will probably be the case that the Sheriff will regard it as a matter of such importance that he will do the work himself.

Question, "That 'of the county' stand part of the Question," put, and negatived.

Question, "That 'excluding his substitutes' be there inserted," put, and agreed to.

MR. CALDWELL: I beg to move the Amendment standing in the name of the hon. Member for Invernessshire (Mr. Fraser Mackintosh).

Amendment proposed, Clause 30, line 29, to leave out "five" and insert "ten."

Question proposed, "That the word 'five' stand part of the Question."

MR. J. P. B. ROBERTSON: There may be anomalies arise which ought to be corrected by a longer experience than five years, and I am prepared to accept the Amendment.

Question put, and negatived.

Question, "That 'ten' be there inserted," put, and agreed to.

Another Amendment agreed to.

Amendment proposed, Clause 30, page 20, line 29, after "years," insert—

"Previous to the term of Whitsunday immediately preceding the passing of this Act."—
(*Mr. J. P. B. Robertson.*)

Agreed to.

MR. J. C. BOLTON: I beg to move the Amendment standing in the name

Dr. Clark

of my hon. Friend the Member for Invernessshire for the purpose of ascertaining from the Lord Advocate what really is the meaning of the clause.

Amendment proposed, Clause 30, page 20, line 31, after "rate," insert—

"Excluding therefrom loans for building asylums and other county buildings, also registration expenses."—(Mr. J. C. Bolton.)

MR. J. P. B. ROBERTSON: The criterion according to which a rate is to be stereotyped—that is to say, according to which it is or is not to fall solely upon owners, is whether, as a matter of law or fact, that particular rate is *de facto* leviable from owners as owners. The only question the hon. Member has to put to himself to ascertain whether a rate is to be stereotyped or not is, does it fall at present on the owners? If so, it is to be stereotyped; if not, it is not to be stereotyped. I would suggest to the hon. Member that he should withdraw the Amendment, as it is really covered by subsequent Amendments raising the more general question.

Amendment, by leave, withdrawn.

MR. J. B. BALFOUR: I have put an Amendment on the Paper for the purpose of inviting the attention of my right hon. and learned Friend the Lord Advocate to a case which does not, I think, very frequently occur. In the county I represent (Clackmannan) there has been no lunacy assessment for some years, and there may be other cases of the same kind. I do not know whether it is thought that 10 years would be a sufficient time for averaging the assessment.

MR. J. P. B. ROBERTSON: I should hope that the adoption of 10 years would remove the difficulty; but if not, perhaps the right hon. Gentleman will raise the question again.

*MR. HOZIER: I beg to move the Amendment standing in my name, with the addition, after the word "roads," of the words "or bridges."

Amendment proposed, in Clause 30, page 20, line 43, after "demanded," insert—

"Provided always, that in ascertaining and determining the average rate the sheriff of the county shall not take into account any rate or portion thereof levied in respect of (1) any capital expenditure in connection with the erection of county buildings, sheriff court buildings, county police station houses, prisons,

lunatic asylums, or with roads, or bridges, or any other similar special expenditure of capital, and interest thereon; and (2) the annual cost of making up the roll of parliamentary voters."

—(Mr. Hozier.)

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: I have carefully considered the several questions raised in the Amendment, and to deal first with the least important, though certainly the clearest—namely, the making up of the roll of Parliamentary voters—I am bound to say I can see nothing to justify the Committee in taking it out of the stereotyping clause. I am bound to carry out impartially the principle embodied in the clause. As to the other cases, no doubt a large amount of money has been spent on capital expenditure from the rates, and there is much to be said for not taking it into account in determining what shall be the perpetual burden. On the other hand, I cannot help seeing that such abstention from taking it into account might be carried too far, and, on the whole, I cannot recommend the Committee to assent to the Amendment. The Amendment of the hon. Member for Stirlingshire stands in a different position when you come to the case of rates. Where rates are levied for this purpose, I am bound to say there is room for distinction. There you have the rate carried on for a course of years, and I think it is much open to question whether it is fair that that should be a burden included in capital expenditure. I think on the whole it should be excepted, and I have framed words which will give effect to that view which I will move later on. I have anxiously considered this matter, and feeling it incumbent on me to act with the strictest impartiality, I think the clause I propose affords the proper mode of solving the problem. If the Committee desire it I will move this clause in preference to the Amendment of my hon. Friend (Mr. Hozier).

MR. J. B. BALFOUR: This is a very important question, and I think it would be better to defer it to the Report stage.

SIR A. CAMPBELL (Renfrew, W.): I have an Amendment following this, and in precisely the same terms; therefore, I may, perhaps, be allowed to say a few words on the ques-

tion. I must say I am somewhat disappointed at the statement of the Lord Advocate, because in my own county if the stereotyping clauses remain as they are in the Bill, some injustice will be done. In the first instance we have provided, by a rate on owners only, for a new Sheriff Court House, and new county buildings, that are nearly finished. We have completed during the last five or six years a large police station that we thought necessary for the county, and that expenditure will not have to be incurred again. In this way a large burden has been placed on the rates. I contend that these things should have been done in the county for the good of the county, and, at all events, the expenditure should not be called normal, but should be taken into consideration, and not stereotyped. If you stereotyped the rate at this moment in the County of Renfrew you would be stereotyping a rate of £1,500 more than any normal rate it has even been necessary to raise for the county. Would that be fair? I do not think so. We have paid for these things year by year as we found it necessary, and have not borrowed money. I must press this Amendment, as I think the principle involved a most serious one. You propose now to stereotype for those counties, which have done their duty, a larger rate than those counties which have not carried out the works that were necessary.

MR. DUFF: I think, to a certain extent, the Lord Advocate in the Amendment to which he has referred has met the objections to this clause; still I am not clear as to the effect of the Amendment. In my county we have spent £18,000 on a lunatic asylum, and the whole of that amount has been paid off except £3,000. If I understand the right hon. Gentleman correctly, by the proposed new clause the remaining year's assessment will be included in the stereotyped average rate.

*MR. MARK STEWART (Kirkcudbright): I could give a somewhat similar illustration to that mentioned by the hon. Gentleman who has just sat down, where three counties jointly incurred considerable expenditure for Militia, and also, in two cases, for county buildings. That debt is practically extinguished, but if you go back 10 years to ascertain that expenditure

you will find the sum you will have to take as "the average rate" will be a very large one, and very unfair in its incidence.

MR. SHAW-STEWART (Renfrew, East): I beg to support the Amendment, and I hope the Committee will understand that the case, at any rate in the county I have the honour to represent, is a particularly hard one if the clause is carried through as it stands. To defray the cost of new county buildings, police stations, and other necessary buildings, we have imposed a rate which comes altogether to 2d. in the £1, and that it is proposed to stereotype. I trust the Lord Advocate will give us some hope that this expenditure which has not been made out of borrowed money will be exempted from the stereotyping clause.

*MR. ESSELMONT: I think it would be only fair to have the words proposed by the Lord Advocate put upon the Paper before assenting to them. A little while ago we agreed to an extension of time from five years to ten years, and it now appears more than it did before that this is a clause in favour of the landlord ratepayer. Personally, as the Committee knows, I have no liking for this stereotyping clause. I have already stated that I much prefer, in the interest of economy, that the rate should be divided, and that existing leases should obtain; but having extended the period to 10 years I deprecate that we should be asked offhand to agree to an Amendment which would raise the whole question again. I would, therefore, submit to the Lord Advocate that if he desires to meet the views of my hon. Friend behind me by a new proposal it should be done on Report. In the meantime I would oppose the acceptance of the Amendment, though I admit the fairness that the hon. Baronet opposite (Sir A. Campbell) has shown in all these discussions.

MR. J. C. BOLTON: I trust the Lord Advocate will give further consideration to this subject, which has had hardly as much as it deserves. Take the case of roads. A dozen years ago the state of the roads in Scotland was such as to lead to the passing of the Roads and Bridges Act. The consequence of that Act was that the proprietors of the roads found themselves

Sir A. Campbell:

deprived of those bonds for the making of the roads granted to them previously. Where there was any value in the bonds they were purchased up. Debts on the bonds are now being paid, but the source from which the counties, or the owners of the roads, derived the necessary money, was taken away in the toll. If you include the value of the road debt in the amount of stereotype, you are including the sum which has become payable by the county individually, and you are stereotyping that for ever and ever, while you take away from the county the revenue which was derived from the roads previously in the shape of toll. Surely that is not quite fair. Then lunatic asylums, prisons, and all the rest of it have in the past been paid for by the proprietors. That was, I think, in consequence of the counties being entirely and exclusively in the hands of the owners. But now that is changed. The government is too nominally elective, not so elective as I should like, but still that is to be the character of the government, and that government will be enabled to tax to a very large extent some interests which are not represented at all, such as incorporated bodies. Railways and water-works in some counties pay a very large proportion of the rates, but they will have no vote or representation. So that not only do you charge on the owner all that has been charged in the past, but you carry forward an average amount of what has been done in the past, and you make them liable for half the excess which may in the future be required as capital expenditure. I should like the Lord Advocate to reconsider the matter.

MR. J. P. B. ROBERTSON: There is no doubt much to be said for the view of the hon. Gentleman, but I would remind him of the history of the road debts. They were found in existence in 1878, and at that time were valued, and made a debt of the county. It seems to me a strong step to say of that debt that it is to be considered in the manner proposed by the hon. Gentleman. I go further than the hon. Gentleman. I think that the laying of a great many of the burdens on the landlords which we are now going to continue was not fair. I think that they should have been laid on the tenants too. But we take things as we find

them. I am bound to say, I think the case of the road debts is not a strong one, but when we come to the counties that have economically managed their affairs there is much more to be said for them. One county which has built a county hall or a police station may borrow the money on a terminable loan whilst another may pay for it out of the annual rates. I have great difficulty in resisting an appeal on behalf of the former. Take the case of Banffshire. The burden there is of a temporary character, and is running out. It should not be stereotyped, and consequently would fall under the words of the clause I suggest. What we should do would be to make the owner pay the actual amount of the charge until it ran out. My difficulty is with my hon. Friend behind me. What we are aiming at is to find a sum which, one year with another, will represent the normal expenditure which may be stereotyped. In a case where, say, a Sheriff Court-house has been built, and an extraordinary expenditure incurred, such as will not occur again, probably, for a century, there will be no difficulty in the matter; but when we go closely into the facts I do not find that the abnormal expenditure has been of such a formidable character as to render it necessary to go into very fine distinctions. I think the proposal I made forms a fair compromise. If it is open to objection it cannot be on the ground of undue liberality to the landlords. I am afraid I cannot accept the Amendment.

*MR. CAMPBELL-BANNERMAN: Do we understand the right hon. and learned Gentleman to say that he will move his Amendment on Report?

MR. J. P. B. ROBERTSON: Yes; this is a matter we cannot deal with offhand.

MR. DUFF: I think the explanation the Lord Advocate has given, so far as the case I brought forward is concerned, is quite satisfactory.

SIR A. CAMPBELL: When the road debts are paid off—as they are being paid off—the amount charged to the landlord will not be stereotyped, I take it.

MR. J. B. BALFOUR: Yes.

SIR A. CAMPBELL: But the amount is a large one, and when the landlords have paid these debts they will have left the roads over to the County Coun-

cils free of debt—completed and paid for. It will, therefore, not be fair to stereotype the rates at the time when the last instalments are being paid.

MR. J. P. B. ROBERTSON: The hon. Baronet's last observation illustrates the inconvenience of discussing what is only partially understood.

MR. HOZIER: I withdraw the Amendment.

Amendment, by leave, withdrawn.

Amendment proposed, in page 20, line 43, after the word "demanded," to insert the words:—

"Provided always that occupiers under lease shall have the right of relief during the currency of their leases against the owners in the proportion of the rate paid by them for each year."—(Dr. Clark.)

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: I cannot accept the Amendment. There can be no doubt whatever that affairs in the Scottish counties have been very economically managed. I hope and believe that they will continue to be economically managed, and if that is so, there will be no excess to which this Amendment could apply. The occupiers will have a greatly preponderating voice in the administration.

DR. CLARK: That is a matter of principle, and I must take a Division on it.

The Committee divided:—Ayes 30, Noes 76.—(Div. List, No. 200.)

Question proposed, "That Clause 30, as amended, stand part of the Bill."

DR. CLARK: I will not now oppose the clause, but I will try on the Report stage to get a Division on the principle by which the burden of a landlord, or a portion of it, is placed on the tenant. It is time to put a stop to this process of transferring the burdens on land to industry, and time we should endeavour to roll them back to the shoulders on which they should lie.

Question put, and agreed to.

The remaining Clauses of the Bill (from 31 to 34), dealing principally with registration, were negatived; and the postponed Clause 23, was again postponed until the new clauses have been considered.

Sir A. Campbell

New Clause (Disqualifications for being Councillor.)—(*The Lord Advocate*),—brought up, and read the first time.

*MR. FIRTH: I, Sir, have the following Amendment on the Paper dealing with this matter:—Clause 31, page 21, line 8, at beginning of Clause, insert—

"The Parliamentary register shall be the register for the election of county councillors, with the addition of women ratepayers and peers."

Perhaps, however, it will be the more convenient course to deal with the matter by the negative proposal of the Lord Advocate than by the affirmative one I have proposed.

THE CHAIRMAN: The hon. Member can move to amend the clause by striking out the first part, but it must first be read a second time.

Question put, and agreed to.

*MR. FIRTH: I move to leave out the first part of the clause, "(1.) No woman shall be eligible for election as a county councillor; and." The Government must have made up their minds on the question of women Councillors, or they would not have taken up so strong a negative position. For my own part, I regard the question as by no means settled. The Government have struck an entirely new note, there being no other Act of Parliament in which a disqualification by reason of sex is distinctly stated as it is here. They have raised the standard of disqualification; but I hope the question will not be decided by this Committee on bare sentimental considerations, but on the main ground on which the Bill itself is based—that is, of general utility and advantage. The question of the rights of one sex as against another, or of the occupation of public places of profit, is a wider question than it is desirable to raise in a Bill which is going through with approval as this, and with such concessions.

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County Council of a kind which the County Councils under this Bill are to have to discharge. I am not alluding to the whole of the functions of the London County Council. So far as I see, the County Councils in Scotland will not have the control of baby farms; but under Section 11 they will have to appoint visitors to lunatic asylums, and it is just in respect of that jurisdiction that I would illustrate what seems to me to be the true position in this matter, and why women should be admitted to the County Councils. It must be recollected that unless a large number of the electors come to the conclusion that a woman can usefully discharge functions on the County Council, she will not be elected; but if, in the opinion of a Scotch electorate, there are functions on the Scotch County Councils which might be usefully discharged by women, then in conscience is this House to take on itself the strong negative position which the Lord Advocate would adopt of saying that under no circumstances, so long as time shall last, shall women render those services which they have shown themselves so fitted to render? In the matter of lunatic asylums there are certain difficulties met with, in regard to which it is in the highest degree desirable that an opportunity for investigation should be given to perfectly independent persons. On the London County Council we have under the control of a single committee 10,200 lunatics, half of which number are women, and the advantage which accrued to the Council from a knowledge of the existing state of things at the asylums amongst the female part of the patients from having them visited by competent ladies, was so great that it could only be appreciated by those who had experience of it. In regard to lunatic asylums, even more than in regard to industrial schools, it is desirable that there should be in positions of authority ladies able to investigate these institutions. Everybody knows that there are many things that female patients will not confide to their ordinary officers, or to other persons, except members of their own sex visiting them with the power and position of authority which ought to be confided to them. It is impossible without the assistance of ladies to know positively that all the regulations laid down

are properly carried out, or that difficult and complex systems are properly worked. On the London County Council we have arrived at the conclusion that the assistance of women in these matters is most essential; and I think it is to be regretted, from a public point of view, that the Government should have taken up a negative line of this kind. I hope the Lord Advocate will, with that skill which characterises him, indicate to the House how these difficulties can be better or equally well met by the absence of ladies from County Councils, so far as lunatic asylums are concerned. I hope, also, he will tell us whether or not it is on the ground of the simple disqualification of sex, or on some sentimental ground, that he has put this Motion on the Paper; and whether he is able to defend his Motion on the only ground upon which such a proposition can be rightly defended—namely, the practical ground of utility, I move to omit the first part of the clause.

Amendment proposed at beginning of Clause to leave out the words "(1) No woman shall be eligible for election as a County Councillor, &c." — (*Mr. Firth.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

**MR. CUNINGHAME GRAHAM* (Lanark, N.W.): I wish to support in the strongest manner what has been said by the hon. Member for Dundee, and it seems to me that the description he has been able to give of the work done by women who had seats on the London County Council should induce the Lord Advocate to withdraw his proposal. What argument can there be in favour of women sitting upon School Boards which does not equally apply to their sitting upon County Councils? This is a matter which touches the interests of the working classes very keenly, as there are 50,000 questions which may come before County Councils on which women, and women alone, are able to give proper opinions. I would put it straight across this House to the Lord Advocate, whether he thinks that the functions of women in Scotland are to be confined to their ball of thin cotton and No. 8 needle, and the pro-

duction of little sinners, or whether he does not think that women are capable of expressing opinions as well as men on such small matters as the Government have left to the Councils? The proposal of the Government is the most reactionary and retrograde proposal in this, which is the most reactionary and retrograde Bill of the kind we have been favoured with from the other side of the House. If the question were not ripening both in England and Scotland, I could understand that the Lord Advocate might have had some grounds for his proposal, but on every side we see women asserting their right to interfere in public matters. As I have said, they have seats on the School Boards, and I would ask the eminent Member of the London School Board whom I see opposite (Sir R. Temple) whether he sees anything in the way. His colleagues, Mrs. Ashton Dilke and Mrs. Besant, have done their duty, which should induce him to vote for this extraordinary proposition of the Government. I really think we have a right to expect some explanation from the Lord Advocate as to why he proposes this insult to the intellect of the women of Scotland.

MR. CALDWELL: I think a question of this nature should be determined by the feeling of the people of Scotland themselves. I am bound to say I have found no desire on the part of the ladies of Scotland to sit on the County Boards, any more than I have found any desire on their part to sit on Parochial Boards, for which I believe they are qualified. There is the greatest difference between School Boards and County Councils, as the first relate to education, where the services of ladies may be of the greatest value; but the work of the Councils is of a highly administrative nature, which will be best performed by people who have had business experience. Then, again, what ladies would be got to stand as candidates in Scotland? You would require ladies of leisure and ability; but I venture to say that in Scotland you would not get such ladies to devote their time to these matters. Altogether, in the absence of any expression of a desire on the part of the ladies of Scotland to have seats on the County Councils, I think it would be premature to admit a principle merely because it is said that it has been tested

and found to work well in another country.

Notice taken, that 40 Members not present; House counted, and 40 Members being found present,

DR. CLARK: I am very much afraid that the Lord Advocate, in attempting to solve this question, overlooked some of the arguments which would otherwise have had some weight in his mind, and I trust he will reconsider the matter, and allow the people a little more liberty in regard to it. I was under the impression that the hon. Member for St. Rollox would be a strong supporter of the clause as it stands on the ground of liberty; but, curiously enough, he says he is going to support the Amendment so as to prevent the people from expressing their views on the question. For my own part I am, on every ground, opposed to the Amendment, because I think the question is one for the people themselves to determine; and we ought not to prevent the electors, if they think fit, from electing any lady who may be eligible, who has plenty of time on her hands, and who would like to perform the work to which the people of the county chose to call her. By passing the Lord Advocate's Amendment the Committee will be arbitrarily tying the hands of the electors in this matter; and it is not as if the proposal to allow women to be elected were without precedent, for in Scotland we have had both Poor Law Guardians and lady members of the School Boards who have performed very useful functions with reference to Poor Law administration and educational matters. In point of fact, so beneficial have these services been that in one of the largest towns in Scotland—the fifth in point of population—the School Board actually elected a lady as chairwoman. Apart from my objections to this attempt at restricting the liberty of the electors, I regard it as a very important point that we should have the advantage of obtaining the valuable services which many women of talent and education are able to render. I like to trust the people and let them exercise their own free choice in these questions. Moreover, looking at the growing interest manifested in matters of this kind, I say that you have no right to tie the hands of generations by

Mr. Cunningham-Graham

this sort of legislation. In these democratic times I should have thought hon. Members on both sides of the House would have agreed to trust the people on such a point. I might here refer to the important consideration which was raised by the hon. Member for Dundee (Mr. Firth), who spoke of his experience with regard to certain lunatic asylums over which the County Councils will in future have the control. In those asylums no female inspectors or visitors are allowed, for although, on different occasions, attempts have been made to get lady inspectors appointed, the Local Government Board has always opposed the proposition. If the electors were allowed to have female County Councillors they could then be appointed as asylum inspectors, and would thus be enabled to have matters brought before them by the female patients that are not, and cannot, be brought before inspectors of the other sex. This would be an improvement of the present condition of things that would be of great value to the unfortunate female inmates of the asylums. Upon *a priori* grounds—on the grounds of liberty and desirability—I oppose this unjust limitation of the freedom of the electors.

*MR. M. STEWART: Having had upon the Paper an Amendment very similar in point of principle to that now under discussion, it gives me great satisfaction to witness the course the Government are taking on this matter, and I trust they will adhere to their proposal. My hon. Friend who has just sat down seems to think we are limiting the privileges of future generations as well as of the present by denying them the right to elect lady County Councillors. For my part, I consider that we who sit this side, and I may say on both sides, of this House represent the people generally, and have trust in the people, and that in regard to these questions we indicate what is the opinion of the people. This being so, we are satisfied that it is not the desire of the people that ladies should sit on the County Council. With regard to one statement made by the hon. Gentleman opposite (Dr. Clark), I think I have had as much experience of public business in Scotland as the hon. Member, and that I may have attended as many Parochial School Boards as he has, and, pr

many asylums; and I must say that I never even heard it suggested that ladies ought to be placed on either of the Boards he has alluded to. I can imagine that ladies would be very competent to act as visitors to the female patients in the asylums; but as regards their being made members of the County Boards, I can see no real use that would be served by dragging them from the privacy of their homes and obliging them to travel long distances to and from the places of meeting, which in the country districts frequently involve very lengthy journeys. Very often I have had to travel as much as 100 miles to attend a Board meeting. With all respect for their powers of endurance, I should not like to subject ladies to such an experience; and I think it would be unfair to ask them to undergo it. Beyond all this, I cannot see the use of putting ladies on Parochial Boards; and the suggestion of the hon. Gentleman opposite, that ladies are well fitted for the discharge of such duties is altogether foreign to my own experience, and I have never even heard of their attending country School Boards, as to which matter I very much question whether the hon. Gentleman can give me an illustration. Ladies are much better at home, discharging the numerous domestic duties they have to perform in their peculiar sphere. For these reasons, I think Her Majesty's Government ought to hold fast by the Amendment they have placed upon the Paper.

*MR. CAMPBELL-BANNERMAN: I think that some of the arguments employed by the hon. Gentleman who has just spoken can hardly be regarded as very strong. To my mind his argument, based on the distances lady Councillors would have to travel and their relative powers of endurance as compared with those of the other sex, falls to the ground when we remember that no one proposes to compel women to become members of County Councils, and that they ought to be the best judges of their own powers of endurance. If I were to give utterance to the first criticism that occurs to me with regard to the proposal of the Government, I should say it is somewhat peremptory, if not brutal, in its tone. It says that "no woman shall be eligible for election as a County Coun-

cillor." But, on the merits of the question, there are good reasons why ladies should sit on the School Boards and Parochial Boards which do not apply to County Councils, and I may add that I am not aware that within the limits of Scotland any desire has been expressed by the Scotch people that women should be elected on the County Councils. Much has been said with regard to the usefulness of their services on the School Boards and Parochial Boards, and there are obvious reasons why it is desirable that they should discharge those functions; but these Boards do not afford the true analogy to the County Council. The real analogue to the County Council is the Town Council, and what I wish to ask—and I merely ask the question for the purpose of obtaining information—is this: has any public desire been expressed that ladies should be made members of Town Councils? Let us settle this question before we determine whether they should be made County Councillors. Let us do all things decently and in order. We are now conferring on the counties the municipal authority we have hitherto given to the towns. That system has so far worked well without the presence of ladies. Why, then, should we be so anxious all of a sudden to have ladies on the County Councils? That is really the point at issue; and unless I learn that there is something in the County Councils which altogether alters the aspect of the case and makes it more desirable that we should have women among those bodies than that they should be on the Town Councils, I shall be prepared to say that the County Councils shall be placed in the same category as the Town Councils, and that the work of the County Councils shall be done exclusively by men.

SIR G. CAMPBELL: I am very glad that the Government have submitted this issue in a clear manner, that it may be decided one way or the other. My hon. Friend (Mr. C. Graham) has given the very reasons which induce me to take the other course. He says that all-round women are seeking and praying to interfere with political matters. That is just why I oppose the Amendment. We want a defence against these aggressive women. The

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mass of women cannot and do not want anything of the kind. It is only a certain number of aggressive women who are advancing upon us in a most dangerous way. I admit it may be difficult to draw the line at whether they are to set upon School Boards or upon County Councils. But you must draw the line somewhere. And if we have them in the County Councils, the next thing will be that we will have them here; and if we have them here, then I prophesy that our independence would be gone. I admit I have the pleasure of the acquaintance of some of the most charming women who are now of the London County Council; but what I am afraid of is this, that if they come among us we would either succumb to the charm of their influence or we would be forced to treat them as "the women" to be hated. Let women behave as women, and let men perform the functions of men. I want to draw the line at the County Council. My right hon. Friend (Mr. Campbell-Bannerman) mentioned Town Councils. These women who enter public life are very aggressive and very persuasive, but, of the various women's rights they have claimed, I have never yet heard that they suggested they should be on Town Councils. Town Councils may petition in favour of women's rights, but they do not admit women amongst themselves. I would exclude women from the County Council in order that they may not get any further, and that we may not have them here.

MR. S. BUXTON: The speech of my hon. Friend behind me might have been a Second Reading speech on the Women's Franchise Bill; it did not really affect the question before us. He argues that if women obtained seats on the County Council, the next thing would be that we would see them in this House, and I suppose we would have a Chairwoman of Ways and Means. I am afraid the speech of the hon. Member is too late. Women are already on Boards of Guardians and on School Boards, and it seems to me that the question of the County Council is placed in the same category. It is a question for the ratepayers, whereas the question of entrance to this House is one for the general taxpayers and electors of the country. I

am very glad the Government have raised the question in a specific way. I think it much better that the question should be argued on its merits than that it should be left so indefinite as in the case of the English Act. In England a case has been brought before the Courts of Law, and it has been decided in the most unsatisfactory manner. I believe the decision in the case of the London County Council was that the lady could not resign her seat nor vote—a position like that of Mahomet's coffin, suspended between Heaven and earth. That is a reason for the Debate this night. I do not believe that any Member of this House would say for a moment that the presence of a female on the London County Council was not an advantage to the working of the institution. There are many questions put to us on the School Board on which women are able to give valuable advice, and I for one think we ought not to exclude them in these specific terms, but that we should allow the ratepayers an opportunity of electing women to serve them in matters affecting them. The argument used by the hon. Member for St. Rollox, and by the hon. Member opposite, was that we would tear women from their homes and make them travel at night many miles in order to serve on these County Councils. They seemed to have argued throughout as if it would be compulsory on women to serve. The whole matter is this—if the ratepayers of a district deem that their interests would be better served by electing women, then they should have the opportunity of so making their choice. We have heard something of the excellent work of women on the London County Council and on the London School Board, and I very cordially support the omission of these words.

THE SOLICITOR GENERAL FOR SCOTLAND (Mr. M. T. STORMONT DARLING, Edinburgh and St. Andrew's Universities): I shall state the point with very great brevity, because the arguments have been fully gone into. I do not entirely share the view of the hon. Member for Kirkcaldy, who regards the advance of women with horror and aversion; nor, on the other hand, are we in entire agreement with the right hon. Gentleman (Mr. Campbell-Bannerman). He spoke of

the proposal of the Government as rude, peremptory, and brutal, and then in the same breath he said that the true analogue of the County Council was the Town Council. It so happens that these two observations of the right hon. Gentleman will hardly stand together, because under the *régime*—to which he at least will be the last to take exception—of the year 1881, Parliament passed an Act relating to municipal elections in Scotland by which women were for the first time admitted to the municipal franchise; and in that Act I find the very same “rude, peremptory, and brutal” words. The second clause of that Act concluded thus—“Females shall not be eligible for election as Town Councillors.” He calls them “females.” He is, therefore, even more rude, more peremptory, and more brutal than we are on the present occasion. After all there is nothing in the work of the County Council, which specially calls for the services of women. They have rendered satisfactory service on the School Boards, but it is impossible to draw any analogy between that and the work of the County Council, the business of which will be essentially of an administrative character and will resemble the work of Town Councils much more than the work of School Boards. There is no demand, as has been pointed out, for the presence of women on Town Councils. Let me add that, in my opinion, they are the very worst friends of the Parliamentary enfranchisement of women who advocate their intrusion into spheres for which they are not fitted, and into which I believe they do not themselves desire to enter. That is the kind of thing which would drive people from allowing them the Parliamentary suffrage, and I believe that we are acting in the best interests of women when we resist such proposals.

*MR. J. E. ELLIS (Nottingham, Rushcliffe): Sir, I support this proposal on the ground that it is a matter for the ratepayers, who should have the utmost freedom of choice. It seems to me that the question is one to be settled by the electors. If women are not likely to be useful on the County Council or in Parliament the electors will not return them. No woman would have a chance of occupying a seat in either sphere if she could not occupy it usefully. On the simple

ground of absolute freedom of choice on the part of electors I cordially support the Amendment.

DR. CLARK: Sir, I congratulate the hon. Member for Kirkcaldy on being with regard to this question more Tory than the Tories. His speech was a good old-fashioned Tory speech, with the Tory ring and the Tory prejudices about it. I am not prepared to go to the extreme of the Solicitor General's *reductio ad absurdum*. I want to see women perform every public duty a man performs. I have seen Amazon regiments—women who enter the war dance and who fight. I have seen women who till the field and do all the work, while the man is the lordly animal, doing nothing except a little fighting occasionally. And I have noted that in proportion as civilization develops the disabilities of women are removed. If you want to make a strong nation you must develop the powers and talents which its women possess, instead of trying to restrict them. To do the one is to develop, to do the other is to retard, the progress of humanity.

*MR. DE LISLE (Leicestershire, Mid): I would not have intervened in this debate but for the concluding remarks of the Solicitor General for Scotland. The hon. and learned Gentleman seemed to imply that, by voting against this proposition we should be retarding the possibility of extending the principle of Parliamentary voting to women. That is precisely what I wish to do, as a determined opponent of woman suffrage. I am going to support the clause of the Lord Advocate, because there is nothing I have a greater objection to than the intrusion of women in the sphere of men. I do not know what is the kind of civilization the hon. Gentleman (Dr. Clark) has just been hinting at, but if the Amazons fight like men, surely that is not a sign of high civilization, but rather of the wildest barbarism. I cannot help thinking that if once you put women on contentious ground with men, you aim a great blow at the peace and comfort of society. At present politics are to women a work of supererogation. If they agree with their man friends and relations they assist them. If they differ, they remain silent. Once placed political duties in their hands and they must go their own way independently like men. As an

Mr. J. E. Ellis

opponent then of all unsexing of women I support the Lord Advocate's Amendment.

The Committee divided:—Ayes 70; noes 38.—(Div. List, No. 201).

Clause added.

A Clause (Registration of county electors for a county)—(*The Lord Advocate*)—brought up, and read the first and second time.

*MR. FIRTH: I think it would save us from all the trouble attending this clause if it were at once proposed that the Parliamentary Register should be the register for the election of County Councillors, with the addition of women and Peers. I beg to move the Amendment to this effect, which I originally placed on the Paper.

THE CHAIRMAN: The Amendment of the hon. and learned Gentleman is not now on the Paper. It appears to me to be rather an alternative clause than an Amendment to this clause. The hon. Member's proper course would be to negative this clause, and then to substitute his own clause for it.

MR. SHIRESS WILL (Montrose, &c.): The Lord Advocate's clause proposes to enact as follows—

"As affecting the right to be a county elector exemption from or failure to make payment of any consolidated rates, shall be a disqualification in the same manner as, and in addition to, disqualification arising from exemption from or failure to make payment of poor rate in the case of a Parliamentary elector."

I propose that this section should be left out, and the following one inserted:—

"As affecting the right to be a County elector, exemption from or failure to make payment of any consolidated rates or the poor rate shall not be a disqualification."

My point is that it is too late to re-enact, as the Government propose to do, this disqualification to the electorate. It is sometimes forgotten what was the original reason why Parliament made the payment of rates a condition of qualification. In 1832, when Parliament were proposing to give the qualification to occupiers of houses rated to the net or clear annual value of £10, it was necessary to find some standard by which to judge who were the persons so qualified. Parliament hit on this device, not for the purpose of encouraging the payment of rates, but in order to

find some standard to which we could go and save the trouble of individual investigation in every case—to have, in fact, a register made to hand. But it was argued that that by itself would not be sufficient; it was anticipated that a large number of people would be anxious to be rated at a higher amount than they would otherwise, and that they would afterwards appeal against the rating. It was therefore provided that to be qualified a person should also pay the rates. I find from *Hansard* that, speaking on the 3rd of February, 1832, Lord John Russell said:—

“The Amendment could not be admitted, because it would not effect the object of the Bill, which was not to encourage the payment of rates, but to enable a £10 householder to enjoy the right of voting for a Member of Parliament.”

Since that time large inroads have been made by the Legislature itself upon this vexatious principle. In 1867, when “The Representation of the People Act” passed, Parliament provided that the occupier should pay rates, though he might deduct them from the rent in case the owner agreed to pay them. Two years later Parliament repented, and by “The Poor Law Assessment Act, 1869,” expressly provided the contrary; that is to say it provided it should be sufficient if anybody paid the rates. By introducing the lodger and the Service franchise, Parliament has gone away from this stringent provision. This matter is one of great hardship to the electorate, because many a working man, sometimes because he happens to be out of work, through no fault of his own, sometimes by reason of sickness in his family, or from other temporary cause, is unable to pay his rates by a certain date. It is not a question whether he has paid his rates at all, because the law provides most ample remedies for the payment of rates; but what the Legislature has said is that a man in Scotland must pay his rates by the 30th of July. That is a very hard and fast line to draw. It operates most harshly for it has the effect of excluding from the register a very large number of those who would otherwise be entitled to vote. Why should this be so? Is it not like the temporary non-payment of any other debt? Let us look at the

rates to be levied under this Act. Powers are given to the County Council with regard to the water supply. If a man does not pay for his water the proposals of the Government will exclude him from the franchise. If, however, a man does not pay for his gas that will not exclude him from the franchise. It is idle at the present day to argue this provision is necessary because it is evidence of good citizenship, and that was not the ground upon which it was introduced. In Scotland we have a valuation roll. It is prepared according to statutory authority, by officers appointed for the purpose, and there is no difficulty whatever in going to that valuation and in finding out everyone who comes within the qualification. I submit it is now time that the old restriction shall at all events not be re-enacted.

Amendment proposed, in line 11, to leave out the word “rates,” to the end of Sub-section (a), and insert the words “or the poor rate shall not be a disqualification.”—(*Mr. Shiress Will.*)

Question proposed, “That the words ‘shall be a disqualification’ stand part of the Clause.”

MR. J. P. B. ROBERTSON: The hon. and learned Gentleman has very fairly discussed the question, but he has referred to nothing more novel than the action of Parliament in 1832. A great deal has occurred since 1832; and on successive occasions Parliament has attached the condition of the payment of rates as an essential and expressed condition of the possession of the Parliamentary franchise. That has been the case not merely in 1868, but, in the last enfranchising Act, that of 1884, the same condition was attached to the extension of household suffrage to counties. Let me point out that when our Registration Clauses were originally presented to the House, objection was taken to them which we appreciated so entirely that we have modified the clauses. It was said—“While you have ready to hand the Parliamentary register, you discard it and set up an entirely new register for County Council elections.” We felt the force of that, and reconsidered our clause. We found the means of modifying our Parliamentary register so that it may meet the requirements of County Council

elections, and save the constituencies the expense of a separate roll. But then comes the hon. and learned Member for Montrose, and he says, "Oh, I dissent from the view that you ought to adopt the principle of the Parliamentary register." He invites us to set up a new register—the very thing we were denounced in the Second Reading for doing. This is an attempt on the part of the hon. and learned Gentleman to impose on the constituencies for the County Councils a new register because he says, "You must go further than the Parliamentary register, and you must add to the Parliamentary register those persons who have been held to be disqualified by reason of non payment of poor rates."

MR. SHIRESS WILL: Your own clause provides for a supplementary register.

MR. J. P. B. ROBERTSON: That is the merit of my clause; it adopts the Parliamentary register and provides for a supplementary register. This is a point which cannot be decided alone with reference to the County Council register. If the hon. and learned Gentleman is right, a change should be made not in the County Council registration; because every argument he had advanced on this subject is one against the exclusion of the defaulters in the payment of rates from the Parliamentary register. Is it not rather inopportune to take up incidentally, on a Bill relating to County Councils, a question which vitally affects the Parliamentary register? We have adopted in the Bill for the electoral purposes of the County Council the Parliamentary register, and we propose to add to it; but the hon. Member has suggested that we should upset the Parliamentary register on one of its most vital principles—viz., that the payment of rates should be the condition of the possession of the franchise. If we accept the Amendment we should certainly be taking a retrograde step.

***MR. CAMPBELL-BANNERMAN:** If I were to be governed by the Lord Advocate's argument alone I do not think I should find much difficulty in supporting my hon. Friend. The Lord Advocate rather overstates his argument with regard to the Parliamentary register. We certainly said, "Why not

take the Parliamentary register as the simplest way of settling the difficulty?" but we do not mean necessarily that you should take over every particular defect of the Parliamentary register. I do not think the Lord Advocate has put the response to the Amendment of my hon. and learned Friend as strongly as he might have done. The law as to Parliamentary elections is, that if a man, who otherwise would be qualified, has not paid his rates he cannot be put on the register. What are the rates he has to pay? They are the local rates over which Parliament has no control; rates levied by a local authority. But this is the case of a man seeking to be elected to the County Council. The County Council is to have the control of certain consolidated rates. Are we to allow a man to be elected to the Council who has himself failed to pay the very rates which he is called upon to administer? My hon. and learned Friend may object with some reason to the exclusion of a man because he has not paid his poor rate; but in this case the exclusion is made because the man has not paid his consolidated county rate. It may fairly be argued that a man should be considered fully eligible to be elected to a County Council who has actually failed in the duty he is called upon as a Councillor to administer. I do not know whether I have explained myself clearly, but there does seem a stronger ground than the Lord Advocate has taken in his argument. It is not often I can find any stronger argument than that he uses. But this seems to me a stronger objection to my hon. Friend's proposal, namely, that a man should be excluded as an elector in consequence of failure to pay the very rate in respect to which he is called upon to exercise his functions.

MR. J. P. B. ROBERTSON: I do not think the right hon. Gentleman understands the effect of the clause. We require two qualifications, first, a man must be on the Parliamentary register, and that implies that he must have paid his poor rate, and we also require that he shall have paid the consolidated rate.

MR. ANGUS SUTHERLAND: I regret that the Government have taken up this position. It is rather an aggravation of the evil, as the Lord Advocate

has admitted that his proposal entails a double disqualification, not only as regards the consolidated rate, but as regards the Parliamentary register. An elector is liable to disqualification because he has not paid his poor rate. It was understood that the County Council register should be wider than the Parliamentary register, but it becomes by this more restricted. The Lord Advocate has stated that since 1832 it has been an essential qualification for the Parliamentary franchise that a man should pay his rates, and he argues that a man must discharge certain statutory duties to qualify him for this civil right. But it has been brought to his notice that in the remote parts of the county, in the Highlands and elsewhere, Parliamentary electors have not had the opportunity of paying their rates within the statutory time, they having travelled long distances and found no person to receive payment, and consequently they became disqualified. The disqualification attaches though payment is made afterwards. My objection to the Government proposal is that it makes the County Council register more circumscribed than the Parliamentary register.

MR. FIRTH: There is an important principle involved in my hon. Friend's Amendment which I hope he will emphasize by a division. In this new clause the Government propose to add to the electoral disqualifications which it is the tendency of modern opinion to lessen. Only crime and mental disability should disqualify from the exercise of the franchise. By unforeseen calamity or poverty, for which he may in no way be responsible, a man is unable to pay his rates, and so loses his qualification and is unable to exercise the franchise in favour of a representative through whom he hopes for legislation that shall better his condition. This disqualification attaches to the Parliamentary register in regard to the poor rate and the Government would add the non-payment of the consolidated rate as a disqualification for the Council register.

*MR. DONALD CRAWFORD: It strikes me that a fair compromise might be arrived at rather on the lines suggested by my right hon. Friend (Mr. Campbell-Bannerman). When you are

establishing a new franchise, as you are in the present instance, for the County Councils, the only reasonable ground on which you can make failure to pay the rates a disqualification for that franchise is in regard to the rate levied by the Body, a member of which is to be elected. On that ground I can understand the disqualification, if limited to the consolidated rate; but I protest against payment of the poor rate being imported into the matter at all. It is wholly foreign to the principle that has been followed in the Bill in the relations between the county and the parish. It is of no consequence to the County Council whether the elector pays the poor rate or not.

*MR. J. WILSON: I would emphasize what has been said by the last speaker by pointing out how seriously the Government proposal would affect the constituency I represent. In the parish of Govan there are 10,000 defaulters who cannot pay their rates, not including females, but all householders, and surely it is hard that these should be disqualified from voting for the County Council.

MR. SHIRESS WILL: The Lord Advocate objects that my Amendment would necessitate the making out of a new register, but I may point out that the acceptance of my Amendment will not entail the making out of a register beyond what is contemplated by the right hon. Gentleman's own clause. In a sub-section we have not yet reached, the clause provides there shall be a supplementary register into which women and Peers shall go, and into that the names of those contemplated by my Amendment would go. The right hon. Gentleman on the Front Bench (Mr. Campbell-Bannerman) in his remarks seemed to me to have forgotten the case of those men, and they are those with whom we have most frequently to deal in this connection, who are temporarily prevented from paying their rates not by reason of any unwillingness, but because of sickness in their family, heavy family expenses, being out of work, or various causes, and through no fault of their own. Why should these men be disqualified? They will have to pay the rates eventually; there is the machinery to compel payment.

proposes to adopt on a reference to existing institutions in Scotland, and I wish briefly to point out why in these existing institutions there is no precedent we ought to follow in 1889 in reference to this matter. In the first place, I am aware that the Royal Burghs Act, of 1833, does, in a sense, provide for co-optation, but with this very marked peculiarity, that the Act provides that a third of the Council shall go out of office each year. If during the year a vacancy occurs it is filled up temporarily by the remaining Councillors, but in the yearly election of a third of the Council this vacancy is included. So there is no precedent here for introducing into a Bill of this kind, where the county elects a representative body for three years, a provision by which a Councillor may be appointed by co-optation for nearly the whole period of three years. The next public body that may be appealed to as a precedent is the Parochial Board, which depends upon the Act of 1845. This Act provides for an election each year, and so far as I know does not provide for filling up a casual vacancy, but even if that were so, it offers no precedent, inasmuch as the office is only held for a year. Then reference may be made to the Police Burghs of which we have heard so much. These depend upon an Act of 27 years ago—1862—and I trust the Committee will not accept that as any guide at all in this matter, because it is restricted to the £4 franchise. The last remaining instance to which the right hon. Gentleman may refer, is the School Board, established in 1873. It is a fact that in this Act there is a provision for filling up casual vacancies by the remaining members of the Board. But before we accept this as a precedent, we must remember the objections that have been made that the School Board is elected on a restricted franchise. Service franchise men have no votes, and there is the commutation system of voting. That Act therefore cannot be appealed to as a precedent on the present occasion, and the Lord Advocate does not propose to follow it, because his Bill gives the franchise to women, but excludes women from election. These precedents do not support the Government proposal, which

I regard as a clumsy expedient, and which may destroy the representative element in a body elected for three years.

Amendment proposed in sub-Section 2, line 56, of proposed new Clause to omit the word "third."—(*Mr. Shireess Will.*)

Question proposed, "That the word 'third' stand part of the Clause."

MR. J. P. B. ROBERTSON: It is one of the remarkable currents of public opinion in Scotland, that with the desire that there should be full representation of public opinion in County matters, there ought not to be an undue frequency of elections, and accordingly when we provided that the Counties should be saved the expense of preparing a registration roll more than once in three years, we acted in consonance with the prevalence of public opinion on the matter. I need not remind the Committee of the fact that not only is it in accordance with Scotch municipal usage to have vacancies filled up by co-optation, but this has been rectified by quite recent legislation. I might mention the Roads Act of 1878, where it is provided that vacancies shall be filled by the governing body itself, and there has been a series of Municipal Acts dealing with the government of towns in Scotland in which there has been no proposal to change an arrangement that has been found most convenient. I am convinced there is no general desire in Scotland to add to the frequency of elections, and consequently there is no necessity to provide for the yearly preparation of the roll.

Question put, and agreed to.

*MR. CAMPBELL-BANNERMAN:

I wish to move an Amendment to this proposed new clause in order to give married women the same right to the franchise as unmarried women. I do not know that there are any arguments required to support the Amendment. I think rather the burden of proof should rest with those who would exclude married women. There may be a good deal to be said for and against the proposal, whether women should vote at all; but if women are allowed to

vote, I cannot see any ground for restricting the privilege to unmarried women, and those who, being married, have separated from their husbands.

Amendment proposed, in line 75, to leave out the words "who is not married, or, who being married, is not living in family with her husband."—*(Mr. Campbell-Bannerman)*.

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. J. P. B. ROBERTSON: There are, no doubt, many considerations of interest attending the point the right hon. Gentleman has raised, but I must say for the Government that we prefer to consider this question from a practical rather than an abstract point of view. We are not here incidentally to revise and reconsider all possible objections as to who ought or ought not to be qualified in this case. We have in this instance followed a precedent of quite a modern character. The law relating to the rights of women in municipal elections in Scotland is so recent as 1881, and constitutes the latest decision of Parliament on this matter. I think it would be unfortunate if we were incidentally to enter upon this question, and the right hon. Gentleman will excuse me if I decline to do so. We simply transfer to County Council elections what we find to be the existing state of the law in regard to municipal elections.

***MR. CAMPBELL - BANNERMAN:** I should have thought that of all female members of the community a woman living with her husband was most deserving of this trust. But I admit the Lord Advocate has slain me with my own weapon. I have always urged that we should follow the precedent of Municipal Government; the right hon. Gentleman says this section is taken from the Municipal Act, and I will not persist.

SIR GEORGE CAMPBELL: I should have been content to avoid all difficulty of discriminating between the classes of women who should vote, by providing that no woman should vote at all. But we have allowed the tide to advance so

far, and can only make a barrier to prevent further progress. I think it would be better to get over the difficulty in the way suggested by the right hon. Gentleman, though possibly dissensions might arise in some families through the adoption of this course. I remember hearing of a case in America, however, in which a woman stood against her husband as a candidate for a municipal office. I was told that there was no jarring over family duties. I asked who won, and was informed that the man did. I was not surprised at the absence of dissensions, for if the contest had gone the other way, difficulties might have arisen. I am in the hands of the right hon. Gentleman the Member for Stirling Burghs; if he does not wish to press the matter, I am sure I have no desire to.

***MR. HALDANE (Haddington):** I approach this question in a position of greater freedom and less responsibility than many hon. Members, and I deprecate this appeal to precedent made on the part of the Government. We cannot forget it is only a short time since that the Government, on the question of free education—notwithstanding the example set them by the Front Bench opposite—chose to throw that example overboard and announce that the precedent was not binding. We have advanced on many questions, and I believe that in this House we have advanced in our conception of the position of women, particularly in the question of Local Government. I well remember a speech by the Chancellor of the Exchequer in 1885, at a time when he was a candidate for the Eastern Division of Edinburgh. Somebody asked him if he were prepared to support the admission of women to the suffrage in a form proposed in a Bill then before Parliament. He announced that he was not, because the proposition was one which would exclude married women, and he certainly was not prepared to exclude from the franchise those who were the most distinguished and presumably capable of their sex. I would ask why, in a question of municipal government such as this—why in

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the choice of the electorate for the County Councils — we should select single women and refuse the suffrage to married women. Of all subjects in which women are interested surely it is those which will come under the direction of the County Councils. I do not know what course my right hon. Friend intends to take, but I shall claim my right to press this matter to a Division.

The Committee divided:—Ayes 111; Noes 56.—(Div. List, No. 202.)

MR. SHIRESS WILL: I intend only briefly to propose the Amendment which stands in my name, and I shall not take a Division unless I find the general sense of the Committee is in favour of so doing. The object of the Amendment is not to alter the Parliamentary franchise, but merely to shorten the qualifying period for voters for County Councils. At present the qualifying period for occupiers is twelve months, and in many cases it really means two years, for unless a person has been in occupation a year prior to the date of making his claim he gains no qualification. Now, I hold that these long periods of residence are absolutely unnecessary as safeguards in order to put upon the register those who are interested in the welfare of the county and are fit persons to exercise the privilege of voting. It is necessary for men employed in many trades and industries to migrate from one part of a county to another, and I desire that, as far as possible, this unavoidable removal shall not disqualify men from voting. Some go the length of holding that a man shall be able to carry his citizenship and the right of voting on his back just as he carries his certificate of personal character. I for one see no reason why it should not be so; but I do not go the length of proposing that. I suggest, instead, a residence of three months anterior to the date of registration as a qualifying period. It may be urged that this will entail making some addition to the register, but it would be possible to have a supplementary register, and I do not think a trifling

expense should prevent this desirable reform being carried out.

Amendment proposed, Sub-section (2), at end of sub-division (i), add the following sub-division—

(j) Whenever in the Registration Acts there is provided a qualifying period of occupancy, or of residency, or of proprietorship in the case of an occupier, inhabitant occupier, lodger, or proprietor, as the case may be, a period of three months shall for the purposes of this section be read in each case in substitution for any period so provided; and any occupier, inhabitant occupier, lodger, or proprietor, who is otherwise qualified, and who shall have fulfilled such period, shall be entitled to be registered in the supplementary register as a county elector."

Sub-section (2), sub-division (j), line 90, after "a peer or a woman as aforesaid," insert—

"And every occupier, inhabitant occupier, lodger, or proprietor, who shall have fulfilled the aforesaid period of three months, but who is disqualified for being so registered by reason of not having fulfilled any longer period."

Question proposed, "That those words be there added."

MR. J. P. B. ROBERTSON: It is desirable to use the Parliamentary franchise as the basis of the County Council register. That has already been decided by the Committee, and I must point out to the hon. and learned Member for Montrose that his Amendment would render the forming of the Parliamentary register a mere formality. The Parliamentary register contains no suggestion of persons who have only resided for three months in a district. How, in the case of three months' residents, could it be ascertained whether the rates have been paid? The proposal would lead to nothing but confusion, and I greatly deprecate its acceptance by the Committee.

Amendment, by leave, withdrawn.

*MR. LYELL: In proposing the Amendment which stands in my name, I wish to point out that the publication of lists of voters in Scotland is much more restricted than it is in England. In Scotland, as far as my experience goes, the lists are only posted on the panel of the parish church doors, and any one who desires to see

Motion made, and Question proposed, "That the Clause be read a second time."

MR. J. B. BALFOUR: I think that the proposal contained in this clause is entirely at variance with the principle of the representation of the People Act, 1884, in which the service franchise was first introduced, I think it will be most unfortunate if the gift of the franchise has attached to it a qualification of relieving the master of a share of the rates, and I venture to suggest that under this proposed clause there will be a great inducement for employers to exact the rates. I am not going to re-argue this point, for in the Second Reading Debate we fully discussed the point whether it was right to make the payment of rates a condition of the purchase. If a servant is to be rated, let him be rated, but do not say he shall not be rated; but if he votes then, he shall relieve his master of a share of the rates.

MR. MARJORIBANKS (Berwickshire): I do not think we can allow the Amendment to pass in this way, for it is a most important one, and affects the rural population of Scotland in a most serious manner. I happen to represent an agricultural constituency, in which out of 6,000 voters there are some 2,000 service franchise holders. Now, Sir, if this proposal of the Lord Advocate is carried, it will interfere seriously with their power of exercising the franchise for these County Councils. I do entreat the Government to reconsider their position in regard to this matter, and on Monday to say the service franchise holder under the County Council shall be as free as those on the Parliamentary register. I, therefore, move to report Progress.

Question, "That the Chairman report Progress and ask leave to sit again," put, and agreed to.

COUNCIL OF INDIA BILL. (No. 281.)

THE UNDER SECRETARY OF STATE FOR INDIA (Sir JOHN GORST, Chatham): I hope the hon. Member

for Kirkcaldy (Sir G. Campbell) will allow the Council of India Bill to be read a second time.

SIR G. CAMPBELL: No, Sir. This is a very important Bill, and I will not consent to have it read a second time without discussion.

Second Reading deferred till Monday next.

CRUELTY TO CHILDREN PREVENTION BILL. (No. 87.)

Order for Third Reading read, and discharged:—Bill re-committed, in respect of a new Clause (Expenses of prosecution).

Bill considered in Committee.

(In the Committee.)

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER, Isle of Wight): I beg to move the new clause of which I have given notice.

New clause (Expenses of Prosecution) page 6, after Clause 9—

"Where a misdemeanour under this Act is tried on indictment, the expenses of the prosecution shall be defrayed in like manner as in the case of a felony."—(Sir R. Webster.)

Question, "That this Clause be read a second time," put, and agreed to.

Question, "That this Clause be added to the Bill," put, and agreed to.

Bill reported.

Bill, as amended, considered.

MR. MUNDELLA (Sheffield, Brightside): I trust the House will allow this Bill to be read a third time.

Question, "That this Bill be read a third time," put, and agreed to.

Bill read the third time, and passed.

SALE OF INTOXICATING LIQUORS ON SUNDAY BILL. (No. 20.)

Order for Committee read, and discharged.

Bill withdrawn.

FRIENDLY SOCIETIES ACT (1888) AMENDMENT BILL. (No. 193.)

Lords' Amendments to be considered upon Thursday next, and to be printed. [Bill 331.]

House adjourned at five minutes after Twelve o'clock till Monday next.

HANSARD'S PARLIAMENTARY DEBATES.

No. 4.] SIXTH VOLUME OF SESSION 1889. [JULY 23.

HOUSE OF LORDS,

Monday, 15th July, 1889.

PALATINE COURT OF DURHAM BILL. (No. 71.)

Commons Amendment to be printed.
(No. 159.)

CRUELTY TO CHILDREN PREVENTION BILL.

Brought from the Commons; read 1st,
and to be printed. (No. 160.)

IRELAND (GWEEDORE AND OLPHERT ESTATES).

*THE DUKE OF ARGYLL: My Lords, it will probably be in the recollection of almost all the Members of this House, that among the theatrical exhibitions and evictions of tenants in Ireland got up by the Land League there was the case of Mr. Olphert, in the County of Donegal. I have no personal knowledge of Mr. Olphert, who is a quiet country gentleman, known apparently to very few. Indeed, it was not until yesterday that I could find a single friend of my own who had ever seen Mr. Olphert, and that friend was an officer of a regiment who had been stationed in the neighbourhood. But I have chosen to bring this case before your Lordships for two reasons mainly. The first is that the circumstances of Mr. Olphert's cases are typical of the whole agrarian history and condition of Ireland. It is a clean-cut case, and all the circumstances are typical of the difficulties with which we have to deal. The second reason is that in regard to this case we have unusually adequate and complete information, inasmuch as—in addition

to recent facts—the circumstances of Mr. Olphert's estate, and the much more celebrated neighbouring estate of Lord George Hill, were investigated by a strong Committee of the House of Commons 30 years ago. The evidence taken before that Committee went back to the beginning of the century, and the history of Ireland, alas! gives us equally full information in regard to the centuries preceding. I need not now repeat in detail the well-known facts concerning the congested districts of the West of Ireland. There is a large population on comparatively poor soil, though not so poor by itself as exhausted by bad cultivation. You have there a tenantry of which the large majority is mostly upon holdings under £4 a year rent. You have the wretched cabins and all the characteristics which give to persons coming from other parts of this country the idea of abject poverty. But, my Lords, you have also a most extraordinary condition of ignorance among the people, and I must say I am surprised that public attention has not been more called to the evidence of that ignorance. This was illustrated by the great number of illiterate voters at the last general election, and illiterate voters are men so utterly ignorant that they cannot even fill up the simple form which the Ballot Act requires, without being coached by somebody to see after their voting. Now, my Lords, in England and Wales out of 2,500,000 voters there were only 38,000 illiterates at the last election, whereas out of 194,000 voters in Ireland there were no fewer than 36,752 illiterates; and for the County of Donegal out of 6,300 voters as many as 3,214, or more than half, were illiterates. That is to say, my Lords, that in the County of Donegal more than half the voters who

send Members to Parliament were men so absolutely ignorant that they could not fill in the simple ballot forms. These are the men who wish to dictate how we are to reform the British Constitution. You actually have in the counties of Ireland a number of absolutely ignorant voters, sufficient to return the whole of the Members by a majority. A friend of mine to whom I pointed this out some time ago, remarked that with all the schools now existing it was impossible that there could be so large a proportion of illiterates, and he added—

"I will give you the explanation. These men are not illiterates, but the priests want to see how they vote. They get them to put down their names as illiterates, and by that means under the Ballot Act the Land Leaguers and the priests see that their victims vote as they like."

I say distinctly, my Lords, that for these people the benefits of the ballot do not exist. They vote under the leadership and compulsion of the organized societies of Ireland. That is a very striking fact in regard to the condition of these people, and it is not surprising that people who are so grossly illiterate should also be ignorant of the common laws of cultivation. Now the question naturally arises, "Why are these people so miserably poor and illiterate?" The condition of these people is held up all over Europe to the "intelligent foreigner," by whose opinion Mr. Gladstone would have us to be guided, as a proof of the evil results of British rule. I wish to show your Lordships that, in regard to Donegal, there is no proof that the ignorance and poverty of the people, or the condition of the country, are due to British rule. They are due to native Irish habits; and that is one of the questions I wish to deal with to-night. Before I proceed to give your Lordships details with regard to Mr. Olphert's estate, you must remember, in considering the causes which have led to this condition of the people, that Donegal was the longest and the latest home of the purest Irish barbarism. I am not using the word in an offensive sense. I am now speaking literally of historical facts. I mean that this part of Ireland is the latest home of that general condition of the Celtic tribes throughout the Middle Ages, and almost down to our own

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time, which is admitted by all to have been barbarous, a barbarism exemplified by the still desolate condition of the people in the North-West of Ireland, from Donegal southwards along the coast. My noble Friend, Lord Granville, delivered a pleasant and jovial speech recently in the City of Rochester, and expressed a hope that in a short time we should see the end of the great quarrel between England and Ireland, which had now lasted 700 years. That is a very pretty point for a peroration; but I think it shows considerable ignorance of the history of Ireland. I deny the historical fact that there has been any quarrel between England and Ireland for 700 years. I challenge my noble Friend to produce a single case since the invasion of Strongbow in the 12th century where English troops operated in Ireland without the alliance and assistance of great Irish tribes, who were as much entitled to represent the interests of the Irish people as were the other tribes with whom they warred. It was no quarrel between England and Ireland, as my noble Friend said. Ireland was invaded by Strongbow at the invitation of a large part of the Irish people; and one of the most Irish historians of Ireland (Mr. Prendergast) says that really the English came into Ireland with the sanction of the Pope, were received by the Irish Bishops, acknowledged by the Irish people, and accepted by them as having a superior organization. Now, my Lords, passing on from that point, I want to call your attention to another point in this condition of the Irish people, much older than 700 years. The other day I saw in a bookseller's catalogue a book called *The Highlands of Donegal*, and I thought it might give some information with regard to the condition which still survives in this part of Ireland. According to that author, the history of Ireland begins soon after the time of the Ark, and some of the incidents he narrates must have been contemporary with Abraham. But there is one series of events which my noble Friend has perhaps never heard of, which is a great deal older than the alleged quarrel between England and Ireland, and that is the quarrel between the O'Donnells and the O'Neills. That

quarrel seems to have begun somewhere about the year 405 A.D., and this author is fully confirmed by others in saying that the quarrel and bloodshed between these brother Irishmen with allied septs went on with few intervals until the end of the 16th century and covered the country with desolation. I affirm positively, as an historical fact, that the misery and poverty of the North-West of Ireland up to the beginning of the 17th century were absolutely and entirely due to the exterminating wars of these Irish tribes. There was hardly any interference on the part of England. I do not know whether any of your Lordships have noticed the curious account given by the Poet Southey in his *Commonplace Book* in regard to the annals of Ireland. It is contained in a series of Latin words—*Conflagratio—vastatio—devastatio—prædatio—prælia*, &c. "Behold," says the author, "in these words, borne out everywhere in this book, the history of the Island of the Saints." And that, my Lords, is literally true. It was the O'Donnells, the O'Connors, and the O'Neills, with their intertribal wars, who kept the people of the North-West of Ireland for centuries in a condition of poverty and ignorance from which they have never emerged. Of the whole of the 17th century we have a full and accurate account. It was a miserable century, only relieved by the two great plantations which took place under James I. and William III., which took place in the North and centre of Ireland. I know the plantations are often spoken of as among the great wrongs of Ireland, in spite of the evidence that the plantation of Ulster was eminently successful, and that the prosperity and industry now centred in Belfast are largely due to that plantation. The idea of a plantation, although strange to us and foreign to modern practice, is by no means peculiar to Ireland. During the whole of the Middle Ages there were similar plantations. In Scotland one of the greatest of our early Kings planted the whole of the North-East Coast, from the mouth of the Spey to the Tay, now so rich and flourishing, with settlers of Anglo-Saxon and Norman blood, driving out the Celtic inhabitants as at that time irreclaimable. A population of mixed blood was thus let in, precisely as was

done in Ireland. In fact, the plantations both in Ireland and Scotland have been eminently successful. It is estimated that at the end of the 17th century the population of Ireland did not exceed 1,200,000, and except for the plantations, the whole country was absolutely waste. It had not recovered from the devastating wars of its own people. At the end of the next—the eighteenth—century the population had actually increased to 5,200,000—an increase enormously rapid. It may be said that the last century made Ireland what it is. I want to ask the House, and my noble Friends who accuse the English Government of malversation in Ireland, how far it is true that during the 18th century we can trace any part of the miseries of Ireland to the English Government? There are two great classes of measures which are laid to the charge of the English Government. First, there are the penal laws against Roman Catholics; and, secondly, the laws restricting the trade of the country. Now, my Lords, I do not wish to dwell upon the political or religious aspect of the penal laws. I, myself, belong to a Church and people which have been in fierce antagonism with the Church of Rome. But I should have grieved if any Member of this House who belongs to the Latin Church should suppose that I wish to speak of those laws in the spirit of religious controversy. I have no such feeling personally. I acknowledge that the Latin Church has been the mother of some of the greatest men who have ever lived in this or in other countries. I wish also to remember that at the present moment on the Continent of Europe, where Liberalism is unfortunately taking a direction and an attitude of hostility to all authority and to all religion, and indeed over a large part of the Christian world, the Roman Catholic Church, under whatever circumstances of weakness, and of prejudice, is the only body which is holding up before the eyes of men the everlasting standard of the Cross. But, speaking historically, I desire to appeal to any of my own friends who may happen to belong to that Church to admit it as an unquestionable fact that for 200 years the Roman Catholic Church was the great organized enemy and the constant conspirator against the

liberties of England. I wish also to remind my noble Friends that the penal laws were made by the Liberal Party of that day. The Roman Catholic Party was the Tory Party of those days, and it was the Party which represented the Liberalism of that time, which was the anti-Catholic Party, which imposed the penal laws. I say, further, that the penal laws were not so much laws against religion as against a political danger. This is a fact which Arthur Young, who was very severe against these laws and was inclined to exaggerate their economic effects, seems to have overlooked. For Arthur Young mentions, almost as a reproach, inveighing against these laws, that during that century the Protestant landowners were in the habit of giving sites for, and subscribing to, Roman Catholic chapels, or, as they were then called, Mass Houses, for the people, while at the same time they were hypocritically supporting the penal laws. My Lords, there was no hypocrisy in the matter. Those laws were directed against a political danger, and not against a religion; and it is an undoubted fact that the Protestant landlords were in the habit all through that century of subscribing to the Catholic chapels. We have another testimony as to the real character of the penal laws. Mr. Pitt, in his famous letter to George III., which urged upon that Sovereign the concession of Catholic Emancipation, points out that the penal laws were directed against a great Catholic conspiracy, but that, the times having completely changed, there was no longer any danger from that conspiracy, and therefore that Catholic emancipation ought to be granted. But now, turning to the economic effect of the penal laws, I ask your Lordships whether it is true that the poverty of the Irish people can be attributed to these laws? When I had the honour of being one of those who recommended the legislation of 1870 to your Lordships, I stated that there was one indirect effect of the penal laws which had some connection with the agrarian condition of Ireland. In 1774, when Mr. Burke drew up the famous Petition of the Catholics, he used this remarkable argument. I do not quote the exact words, but the substance was this:—

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"You have not enforced these laws; you have administered them most liberally; but there are some of these laws which are automatic in their action, it does not require you to put them into motion."

One of the effects, as I stated in 1870, was that the penal laws prevented Roman Catholics from having beneficial leases, and the tendency of this disability was to induce Protestant landowners to give large tracts of country to middlemen for sub-letting to the Irish people. I am now satisfied that the penal laws had little to do with this result. Catholics could hold leases for 31 years. Now, that is a longer period than is usually given to tenants in Scotland, and I am now thoroughly convinced that the penal laws have had very little to do with the present condition of the peasantry of Ireland. Then it is to be remembered that the penal laws had vanished by 1780; the last 20 years of the century were entirely free from them, and therefore, so far as that influence is concerned, Ireland was as free from it as Scotland. I venture to say that almost the entire agricultural progress of Scotland has been since 1780, and there has been nothing, so far as the penal laws were concerned, to prevent the same advance on the part of Ireland. Now, my Lords, turning to the laws in restriction of trade, every one of us now speaks of them as almost insane; and we hold much the same with regard to the whole protective system. I wish to point out to your Lordships that the laws against trade in Ireland were nothing whatever but what was being enacted in England and Scotland in regard to bounties and every kind of protection. At that time what were called the commercial "liberties" of our country consisted in having exclusive possession of a certain territory; and all the boroughs of Scotland were fighting against each other for this exclusive possession. It was a general delusion all over the world at that period that those protection laws were for the good of the country which had them. But here, again, bad as they were, as affecting Ireland, they were all abolished about the same period—1780. Moreover, we must remember, with regard to the agricultural condition of Ireland, they

never existed at all—that Free Trade had been admitted since the very beginning of the reign of George I., and at the end of the century the provisions exported from Ireland amounted in value to something like £1,200,000. Now, on the other hand, I wish to call your Lordships' attention to the action of the Irish Parliament. It is all very well to talk about England not having then adopted the doctrine of Free Trade. Had Ireland adopted it? Ireland did not know the calamities which would be entailed by the absurd system of bounties. Let me give your Lordships a few dates. In 1707 the Irish Parliament gave a great bounty upon the export of corn in order to stimulate tillage. When Arthur Young was in Ireland he said that the great mistake was that Ireland had too much tillage; that the Western part of Ireland contained some of the richest pasturage in the world, was capable of turning out the finest cattle and sheep, but the land was ruined by this miserable cultivation. To what was this tillage due? To the fact that bounties were given to the Irish farmer by the Irish Parliament. In 1707 heavy bounties were given for the export of grain. In 1727 the Irish Parliament passed a compulsory law that every proprietor should have 5 per cent of his land in tillage, whether it consisted of the richest pasture or not. In 1756 there was a large increase in the bounty. Then came an Act of the Dublin Parliament, which seems to me to be the very highest act of Protectionist stupidity, giving a large bounty upon corn brought to Dublin by land, not by ship. This bounty was put in the form of so much a mile, so that the corn grown in the most distant and wretched part of Ireland paid better than corn grown in the best and nearest part. Arthur Young says he saw ships in Cork lying empty, while a vast number of horses were being yoked to enormous wagons to carry the grain inland. That was the true state of the country, which we are told suffered from English trade protection laws! Well, my Lords, what was the result? The result was that pasture was damaged, the land was wasted, and in the remotest parts enormous mills were raised, costing as much as £20,000 a piece simply to grind corn; and the most wretched grain mixed up

with sand and gravel, and every sort of impurity was carried to them at this enormous expense to receive those bounties. The poor people were stimulated and encouraged by an enormous bribe to cut up their best land for a miserable cultivation. And, my Lords, I believe it was at that time, and under the operation of this wretched legislation, that a process which I never heard of in any other country was adopted, what is called "burning the land." As your Lordships know, there are in certain parts of the country tracts of peat-moss, which is set fire to, and so brought down to a lower level, and I believe that is sometimes necessary or advantageous. What those poor Irish peasants were encouraged to do by their own Parliament was to break up the finest land, and then to set the turf on fire and spread the ashes over the surface. I believe that some of the best land in Ireland has not yet recovered from this desolating operation. At last what the peasantry had been indirectly encouraged in doing was stopped by direct prohibition. I have now in my hand a list of Statutes passed by the Irish Parliament imposing heavy penalties for burning the land; but so long did that habit continue that there is a gentleman now living in Manchester who states that in his childhood he remembers the whole heavens aglow from the burning of the land. Now, my Lords, I do not think the Irish people have much ground to blame us in this country for not having been well up to the doctrines of Free Trade at that time when, for so long a period, by these bounties, the whole people were encouraged to place the land under tillage of the most wasteful character. When the Irish Parliament became independent in 1783 they increased the bounties on tillage, and Arthur Young says that the poor people were induced to indulge in tillage in the most wasteful form. Then, again, as regards the tenure of land, there can be no greater or grosser delusion than that the old Irish systems of tenure were more favourable to the tenant than the English system. The Irish chiefs or landlords lived upon their tenants. They did not exact money from them because there was no money at that time; but they exacted from them, in the shape of produce and services, the utmost that the poverty

of the tenants would admit. The English Government for centuries endeavoured to remedy that miserable state of things. They said to the feudal lords—

“Whatever you do, for Heaven’s sake fix your rents; do not let them be given in services of an uncertain character; do not exact from the tenants coign and livery. Fix your rents; that is what is done in England and Scotland; do you the same.”

My Lords, it is a gross delusion that the land in Ireland has suffered from anything that has been done by England. Donegal is one of those district in Ireland which was long under the desolating conditions of Irish feudalism. Part of it had been affected by these absurd bounties upon corn, and one of the last Acts of the Irish Parliament when they were dealing with the coasting trade was to fix a point in the County of Donegal at which the bounties should stop.

And now, my Lords, I come to the question of this particular Olphert estate. Two great events happened to those poor people of Donegal to relieve them from the misery which they had lain under for so many centuries. In 1837 Lord George Hill, a man of Anglo-Norman descent, not a native Celt, out of pure benevolence bought a large district of the country and determined to devote his time and his wealth to the improvement of the people. The other event was that about the same year Mr. Olphert succeeded to his estate, and I believe that without interruption he has lived among his people ever since—that is, for half a century. What was the first step these two men took? Lord George Hill and Mr. Olphert both found their estates occupied in the old traditional Irish system of rundale. There are some noble Lords who may know what rundale is by name, but who have never seen it, and have no conception of the effect it had upon the social and agricultural condition of the people. I have seen it and have dealt with it upon my own estate. Rundale is a system by which no man has any continuous possession of any bit of land. The townland, the farm, the holding, or whatever it may be, is cut up into a thousand pieces. Each bit may be no bigger than the Woolsack on which my noble and learned Friend sits. Each of these belongs to a separate man for one year.

The Duke of Argyll

They cast lots for the various plots every year. No man can secure that he shall hold his plot for two years. Well, my Lords, you see the effect of that at once. Under such a system there can be no improved agriculture; no selection of cattle or sheep. Everything is in common. There is at present a vague feeling in favour of community of management. A sort of communistic breath is in the air. My Lords, the facts of nature and the laws of God are against this system and condemn it. Brains are individual, thrift is individual, everything is individual, which raises man above the level of the beasts, and I rejoice to see evidence in the literature of the present day, in such works as Krapotkin’s account of the village communities of Russia and Lavelaye’s account of “The Balkan Peninsula,” that individualism is forcing its way—aye, even to the plains of India, on the banks of the Ganges—through those ancient and sleepy old agricultural communities. This irresistible influence is due to the communication of ideas, to the rise of individual aspirations for a higher state of being. These are breaking up the village communities all over the world, and putting an end to the wretched communal system. But in Ireland—and I want to direct your Lordships’ attention to this—upon these very estates the change was effected by the will and influence of one man. Nobody but the landlord could do it; and the landlord did it by exercising the full power and influence of ownership as known through the civilized world. Nothing else, I believe, could have done it. The poor people are enmeshed in a web of custom coming down through many centuries. There is no individualism possible. If one man tries to move, he is checkmated by all his neighbours. I heard the other day of a case in which a landlord tried to persuade an Irish townland to act together, for under the Act of 1881 there is, of course, no compulsion. The majority in this case agreed—a surveyor was sent down to divide the land. But at the last moment some one foolish member of the community refused his assent, and the result was that everything remained exactly as it was. Everything heretofore, in this direction, has been done by the landlord—there was no power in anybody else. Mr. Olphert succeeded on his property in

uprooting this system. It is often said, and repeated as a sort of parrot-cry, that the landlords in Ireland do nothing for their tenants. Of course they could not do for cotters what an English landlord generally does; it was impossible they could build houses for all these people, to make fences for all these holdings. Of course they could not; but I venture to say there is no Member of this House, whatever may have been his outlay on his estate, who has rendered to the poor people on his estate a service comparable to that which Mr. Olphert rendered to the poor people on his in abolishing this system of rundale. He gave them a right to individual possession—that is what occupation means—the whole question lies in the right to individual use and exclusive use. My Lords, such is the man—living among his people for the last 60 years, having rendered this great service that by his action each man among them has the power of applying his individual industry and thrift to his holding, against whom the wicked Plan of Campaign has been put in operation. He is no absentee landlord—not a man spending his rents in England (though I maintain the rights of proprietors to spend their incomes where they please), for in this case Mr. Olphert, as I have told your Lordships, has lived upon his property without a break ever since 1837. Now, my Lords, what do you think was the scale of rent under which these people enjoyed their privileges—privileges they could never have secured except by his action? You know, my Lords, what are the rents paid by an ordinary English labourer for his cottage. Few pay less than 2s. a week, and as regards artizans living in our towns many pay 2s. for a single room. On the estate to which I am calling attention the great mass of the rents were below £4 for a year—that is to say, a great many of them were 30s. and 20s. a year. The great mass paid from 6d. to 1s. per week, and what do they enjoy for this? Not a mere shelter or barren spot from which they could employ their labour or exercise their avocations, but they enjoyed four or five acres of land and a run for several cows and sheep. Those were the scale of rents for the holdings. I should say my Lords they were pretty nearly

eleemosynary. My Lords, I speak from experience of what these men may earn and what may be the value of their labour. I required some drainage work to be done on property some years ago; nobody in the neighbourhood could undertake the job, but I heard there were a lot of Irishmen who hired themselves out as a draining gang. I sent for their head man; he undertook the work, and they drained the field most admirably. Now, my Lords, what do you think was the rate of wages they earned? It appeared they would not do the work except at a price per rod which gave them at the rate of 4s. a day. I have no hesitation in saying that those men who had by three weeks' labour done this work would probably be able in that time to clear the whole of their land rent. Then, my Lords, came the Act of 1881. I am not going to say a word against that Act now; I objected to it at the time, but like every loyal man who may have objected to these things, I accept them and desire to hold by them. The Sub-Commissioners came to the estates of Lord George Hill and Mr. Olphert and they made large deductions, and I believe the rents now run for the same accommodation from 3d. and 4d. up to 6d. and 8d. and 1s. a week. Some 20 to 30 per cent was struck off the rents. But some people got hold of these poor peasants and said, "Don't pay to Mr. Olphert at all," and for the last two years they have been paying nothing. Now, my Lords, we know the whole history of that combination, we know that the agent in this movement was the notorious Mr. M'Fadden, the parish priest of Gweedore. A curious light is cast on the present state of discipline in the Roman Catholic Church by a letter which has been found in his house from a Mr. Stephens, showing the state of circumstances which, as I am informed, prevails in that part of the country. There are two priests of the same name, one Mr. James M'Fadden in the parish of Mr. Olphert, an excellent man, a faithful priest who bows to the decision of the head of his Church. From the beginning he has opposed the iniquities of the Plan of Campaign, seeing the misery and demoralization entailed on the people by it and by the other operations of the Land League. But, unfortunately, the Bishop of the

diocese has put in under him, in spite of his protest, a certain Mr. Stephens, who is a perfect firebrand. This man works with the other Mr. M'Fadden, Priest of Gweedore, and these two have persuaded the poor ignorant people—50 per cent of whom cannot read or write, so that they are unable to put their names on the ballot papers at the polling booths—to combine against Mr. Olphert. Now, my Lords, consider the Government of a civilized country tolerating such a state of things as this. I find myself in the strange position of supporting the Act of 1881. I opposed it at the time for reasons with which I shall not now trouble your Lordships, but what would some of my noble Friends and my right hon. Friends have said if I had told them this—"You are being persuaded by Mr. Gladstone to adopt a great experiment which dismisses to Jupiter and Saturn, not only the abstract principles of political economy, but the common sense of mankind as applied to agricultural matters; you are following his leadership into this unknown region, this revolutionary measure, and you are doing it in vain; within six years from this date this same Minister will turn again and rend you; you wish to keep by him; you say you are satisfied with the tribunal which he has set up?" Well, my Lords, although I am not satisfied with it, I desire to submit to it. But who are the men who are decrying the Act of 1881 now? In all his speeches do you ever hear Mr. Gladstone refer to it? All his supporters, what do they say of it? They talk of its deficiencies, what it did not do, and what still remains to be done, and the doctrine is deliberately preached that for the poor tenants there is no protection save in illegal combination. But there is the Commission, and it might be asked why did they not go there? Now, my Lords, here is a remarkable fact. Ninety tenants of the Olphert estate a few months ago decided that they would apply to the Commission. Mr. Olphert was delighted, and said to them, "By all means apply to the Commission;" but when the Commissioners went down to that part of Donegal, not a man appeared; they had been intimidated and prevented from doing so. My Lords, what are we to say of such a fact as that? What are we to say of men who professed to be Ministers of a civilized Government who

said that in these circumstances eviction was too severe a measure to be adopted? But let me remind your Lordships of what was said by Sir George Trevelyan, when in Office he was called upon to speak of the rents demanded of these poor people. He said—

"What have rack rents to do with the sufferings of this district, the rents amounting to something like 30s. apiece? Can anyone pretend that whether a man pays that or not makes the difference of living a life which a human being ought not to live?"

Then, on another occasion, he was asked by Mr. Healy, "Why not stop evictions?"

"What does that mean?" (said Sir George Trevelyan), "Why, it means that you are to tell the landlords of the country that they are not to exact rent for their own property, and hon. Members can hardly believe that any Government in a civilized country can, in order to avoid breaking the peace, consent that the ordinary obligations of citizens should not be fulfilled."

That is the defence of Mr. Olphert, and that is the defence of the present Government who are supporting him. It is the bounden duty of every Government to see, even if you wish to set Ireland free, even if you wish to send her abroad among the nations, at least to send her out into the whirlpools of democracy or republicanism with the doctrine of common honesty written upon her forehead. Now, my Lords, I leave this part of the case, and I ask, is there any hope for the condition of those tenants? They are fixed upon the land; the land is impoverished to a great extent by their own ignorance, and you cannot improve it in a moment. What is to be done? The present Government has said, in unison with the Government of Mr. Gladstone of former times, "Give them the opportunity of purchasing if they can." My Lords, I am very glad to be able to support that policy. Evidence which is entirely satisfactory has shown that such small people as these will certainly not in general make good landlords; they will be extremely grasping in sub-letting, and in sales of their tenant right. At present they exact enormous rates where they are farming out the land, and where they have the right to do so. Why, my Lords, on these very holdings 50, 60, and 100 years' purchase are being paid. But, my Lords, the Commissioners under the Purchase Acts

have agreed to an experiment. In one townland, in that very poor part of the country, a purchase has been effected by the tenants. I am told by Mr. Tuke, who has done more good in Ireland during the last 50 years than all the agitators put together, and who knows the conditions of the country thoroughly, that the people are paying their instalments to the Government, and are perfectly contented. They say 30 or 40 years is a long time to go on paying, but they look forward to being able to do it. But if the doctrines of morality now preached from certain high quarters reach them, it is possible they may strike against the State as before they struck against their landlords. But, in the meantime, the experiment has succeeded. I am told also, not only on the authority of Mr. Tuke, but on the authority of other persons as well, that a somewhat higher standard of living is creeping in among the people. Formerly they lived upon potatoes, and upon potatoes only. It is almost tragic to read in works on Ireland the condition of the people in the last century. Nobody foresaw what the consequences of a failure of the potatoes would be. Writers upon the type of man in Ireland mention the hardy men, beautiful women, and healthy children, and they said the population was increasing at a tremendous pace. But they little thought that a vegetable, which is propagated not by seed, but by cuttings, was almost sure to fail at some time in the long run. Well, my Lords, that was found by the Irish people to be a broken reed. They are no longer living only on potatoes; but now they are buying corn, flour, tea, and sugar, and are becoming accustomed to a higher standard of living. My Lords, I am not at all sure that even since the Act of 1881 there may not be some outlet for these poor people, as the result of their right of sale. There must be some men who are more thrifty than others; there must be some men with better heads for agriculture; and I hope that such men will buy, enlarge, and consolidate their possessions. And, my Lords, there is another experiment of which Mr. Tuke told me last week in another part of the country under his management. A considerable number of tenants emigrated, the condition being that they

should all be farmers, and it was agreed that when they emigrated their houses should be pulled down and their holdings added to the next neighbour. My Lords, I am told that that district is thriving admirably. It is the system which I pursued myself for 40 years in the Hebrides, and until I was stopped I had succeeded very well. By the sale of the tenant right it is quite possible you may have a gradual consolidation of holdings. But, my Lords, there is one condition above all others which is indispensable to the permanent improvement of the country. You must teach the people the old doctrine of common honesty in their transactions between man and man.

Moved that there be laid before this House—

"I. Return of the judicial rents fixed by the sub-commissioners under the Irish Land Act of 1881, for all holdings at and under £4 former rent, on the estate of the late Lord George Hill, in the district of Gweedore, and on the estate of Mr. Wybrants Olphert, in the district of Cloughaneely, both in the county of Donegal, showing also the former rent in each case;

II. Return of the judicial rents fixed by the sub-commissioners, with the relative schedules as filled up by the sub-commission in the following cases in the county of Donegal, as numbered in the Parliamentary Return for March and April 1889 (pages 146—153), namely, numbers 6,414, 6,415, 6,446, 6,447, 6,448, 6,449, 6,451, 6,452, 6,453, 6,464, 6,476, 6,479, 6,504, 6,505, 6,518, 6,519."

—(The Lord Sundridge, *D. Argyll*.)

EARL GRANVILLE: My Lords, I feel some embarrassment in following the noble Duke. In common with your Lordships, I have read the Notice of the noble Duke to call attention to the circumstances of the evictions on the Olphert estate—that is to say, to the circumstances attending the enforcement of legal obligations on that estate. I have no knowledge of those circumstances except from what I have read of them in different newspapers. I do not know whether my noble Friend has adopted his views of the circumstances from the newspapers, or whether there is any other or more reliable source of information to which he has not alluded. If so, I should like to know what the nature of that information is.

THE DUKE OF ARGYLL: I will tell my noble Friend at once. My information about the Olphert estate, and of the whole circumstances, is entirely gained

done by Clause 3. The condition of the land of the colony is very variable; it is in some parts pasturage, in others it is under agriculture, while in some parts, again, the mineral features are the most marked. In some parts of the interior it is said the land is not in a fit state for colonization. But that argument cuts both ways. If this large tract of land in Western Australia is not suited for immediate colonization, why should we part with all control over it to a community so small as that which now exists in the colony? We do not know what future resources may be open to us there. I suppose the great reason why the interior of Australia is so barren and so unsuited for agricultural purposes is the deficiency of moisture and the want of irrigation; but probably, as in England and all over the civilized world, they will have to solve the problem how best to utilize the rainfall so as to supplement the deficiency which exists during the other parts of the year. I am informed that the rainfall in Western Australia average 30 inches a year. At no distant date, probably, engineering science will provide us with the means, at a small cost, of storing up a portion of this rainfall so as to irrigate this barren territory. My Lords, I do not say that I am prepared with any scheme for this purpose; but anybody who bears in mind that the attention of engineers is being gradually turned with more and more effort to the solution of this great problem of the storage of water will see that, before long, there is a probability we shall obtain the means of effecting it. If that be the case, if that can be done, this large area will become very valuable—an enormous district which is now treated as not of the value of an old song. It is by no means improbable that we may before many years be enabled to fertilize those barren regions. If then you leave to the colonists a proper share of the waste lands which belong to them in proportion to the numbers of the community occupying them, to be developed by their own resources, you will have a very large territory removed from the jurisdiction of Western Australia and at present provided with no Government at all. My Lords, I do not think that is a very serious difficulty. You have a parallel case in South Australia of the Northern

Territory, which is very far removed indeed from the seat of Government in South Australia, and is under very different conditions to those which prevailed in that colony. I hope a similar policy will be pursued in the colony of Western Australia. I cannot help thinking, my Lords, we are acting very rashly and very improvidently in parting with the control of so large a tract of country as that which lies under the 26th parallel of latitude unreservedly to Western Australia, and retaining only so shadowy a control over the waste lands to the North of that parallel. I do not see why we should part with the whole of our estate in that part of the world, and so deprive ourselves of the right of legislating in the future for colonists who are not under the jurisdiction of Western Australia. I do not think so large a tract of country should be handed over to so very limited a number of colonists as occupy that part of Australia. I do not go into the question of their fitness for Responsible Government. I believe the time has now come when their condition in that respect must undergo a change; but I do think greater wisdom should be shown in retaining control over those waste lands. If I am told that that land is barren and worthless, then I say that is a reason for not assigning it to a community of these limited numbers. If it is worthless, at all events, let us keep it in our hands and see whether the resources of modern civilization will not enable us to use and develop it. My impression is that we shall be able to do so far better than this small community of colonists, whose efforts will be absorbed for many years to come in developing the lands which lie nearest to them, and in completing their colonization of those lands lying more immediately under their own control. For many years to come they will certainly be unable to grapple with the large tracts of land proposed to be assigned by this Bill. The great question is, whether we shall once for all part with our control over this large territory, which, as I have said, is about eight times the size of the United Kingdom of Great Britain and Ireland, for the benefit of a community not so large as the present population of the City of Worcester, this being the last of all the colonial possessions of England. I hope your

Earl Beauchamp

Lordships will be disposed to carry the restriction further than is proposed by the Bill, and with that object I beg to move this Amendment.

Amendment moved, "To leave out Clause 3."—(*The Earl Beauchamp*.)

***LORD KNUTSFORD**: I regret that I am unable to accept the Amendment. As the noble Earl has very properly abstained from arguing whether Responsible Government should be given to Western Australia, I need not repeat the reasons for that change which I stated a few days ago, but only remark that, though the responsibility for making the change must rest upon Her Majesty's Government, I think the noble Lords who have administered Colonial affairs expressed general concurrence in the action taken by Her Majesty's Government. It was admitted in the former Debate that if Responsible Government was granted to a colony the control of the Crown lands should be vested in the Colonial Government. That principle was fully recognized by Lord Carnarvon and Lord Derby, and, I think, by your Lordships generally. An exception has been made in the present case, inasmuch as the management of the northern part of Western Australia, north of the 26th degree of latitude, is still reserved to the Crown. But this was done for the special reason pointed out by Lord Derby in the despatch to which I referred in the Debate on the Second Reading of this Bill—namely, that within a certain number of years it was probable that that territory would be separated from the rest of the colony. With reference to the Amendment proposed by the noble Earl, I desire to recall to your Lordships the present condition of the case as regards the management of the land in Western Australia. For many years past the whole of the Crown lands in the Colony have been virtually under the control of the Legislative Council of Western Australia, so that it can hardly be said that any concession has now been really made to the colony of a vast area of land. Strictly speaking, no doubt the Governor—that is, the Crown—has the power of disposing and dealing with the land, subject to rules and regulations which the Governor in Council, that is, the Governor with the advice and consent of his Executive Council, is

empowered to make. But, practically, the Governor and Executive Council have, in dealing with these lands, been largely guided by the feelings and views of the Representative Council, in which, as I have before stated, the Crown does not command a majority. It may then be fairly stated that it is the Legislative Council which has practically been managing the whole of the large area of land south as well as north of the 26th parallel. What has been then the policy of the Colonial Government during these years? I have shown on a former occasion that it has been largely in favour of promoting immigration. This is proved by the evidence given before the State-aided Colonization Committee, by which it was shown that Western Australia was one of the four colonies which most promoted immigration. It is proved also by the passing of land rules and regulations about three years ago, by which a distinct preference was given to the smaller settlers and those who were prepared to reside and cultivate. A man can get land for 10s. an acre, and may spread the payment over 20 years, so that he need pay only 6d. a year per acre, and it can scarcely be said that that is a hard tax for an emigrant. I have seen it urged that vast tracts of land have been granted to certain individuals and corporations, but I would point out that no grants of fee simple have been made of these lands, but only leases, and that at any time agriculture areas may be cut out of these lands for the settlement of small agricultural holders, should the lands ever become adapted for agriculture. There is no reason to suppose that the colony will make any change in its policy of encouraging immigration. The leading men in the Executive and Legislative Councils in the colony have shown themselves in favour of immigration, and these men, after Responsible Government has been granted, will be the Ministers. Why should we assume that they will change their policy? Why should we fear to trust them? I believe that the establishment of Responsible Government will greatly assist in attracting immigration, and introducing fresh capital. We have the precedent of Queensland and of the other Australian Colonies in support of this view. In all these cases there was, unless I am misinformed, a large expenditure for

immigration after Responsible Government was granted. I would venture to urge upon your Lordships that any large curtailment of the area over which the Responsible Government are to have control, might lead to the colony declining to accept Responsible Government. This would be very unfortunate for the reasons which I stated in the debate on the Second Reading of this Bill, and it would create considerable dissatisfaction in the other Australian Colonies, which have heartily supported Western Australia in their desire to change the form of Government. But I venture to think that the curtailment of area would not benefit the cause of immigration. No system of emigration from this country to Western Australia can succeed unless it has the concurrence and co-operation of the Government of the colony; unless it can avail itself of the experience of that Government and of the machinery which they have created. If, however, the area of control were limited, the concurrence and help of the colonists would equally be limited. The lands on the south-east, for example, which are the lands referred to in the Amendment, are at present not adapted to agriculture, and the only chance of getting settlers upon them is by the establishment of communication with the rest of the colony, but no such communication will, it may be feared, be established if the colony has no control over this district. The Colonial Government will naturally confine their energy and help to promoting immigration to the south-western district; and the south-east territory, which it is proposed to reserve, will remain without communication and unfitted for settlement. On these grounds, and again calling attention to Clause 8 in the Bill, which will prevent obstacles being thrown in the way of British settlers, I trust the Amendment will not be accepted.

Amendment negatived.

Bill reported, without Amendment; and to be read 3^d To-morrow.

PUBLIC TRUSTEE BILL (No. 127.)

Bill reported, without Amendment; and to be read 3^d To-morrow.

House in Committee (according to order); Amendments made: The Report thereof to be received To-morrow; and Bill to be printed as amended. (No. 161.)

Lord Knutsford

PRIVATE BILLS (ALTERATION OF MEMORANDUM OF ASSOCIATION).

Select Committee to consider and report under what circumstances, or upon what conditions, if any, Private Bills altering the terms of the memorandum of association of companies ought to be allowed to pass. The Lords following named of the Committee:

L. President,	L. Herschell
(<i>V. Cranbrook</i>)	L. Wigan
	(<i>E. Crawford</i>).
E. Morley,	L. Hillingdon.

And a message sent to the Commons to acquaint them that this House has appointed a Committee of Five Lords, to join with a Committee of the Commons, to consider and report under what circumstances, or upon what conditions, if any, Private Bills altering the terms of the memorandum of association of companies ought to be allowed to pass; and to request that the Commons will be pleased to appoint an equal number of Members to be joined with the Members of this House.

TRUST COMPANIES BILL (No. 10.)

Amendments reported (according to order); and Bill to be read 3^d To-morrow.

INDUSTRIAL SCHOOLS BILL (No. 154.)

House to be in Committee (on Re-commitment) on Thursday next.

House adjourned at a quarter past Six o'clock, till To-morrow, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Monday, 15th July, 1889.

QUESTIONS.

POLICE PENSIONS.

MR. HOWARD VINCENT (*Sheffield, Central*): I beg to ask the Secretary of State for the Home Department if his attention has been directed to the case of George Elmslie, ex-sergeant of the Metropolitan Police, whose pension was reduced £1 19s. 6d. per annum, by reason of two

reports for misconduct in 23 years' service; and if the view expressed in February, 1887,

"That each offence of drunkenness should at the time receive such punishment as the Commissioner might consider it to deserve, but that this punishment should carry with it no penal consequences with respect to pensions; unless the Commissioner recommended a reduction when he forwarded the application for pension;"

and, having regard to the fact that George Elmalie's pension was recommended by the late Commissioner in January, 1888, when he was apparently under the notion that a former ruling

"That every offence of drunkenness should be attended by a fixed deduction from pension"

was imperative, if it is possible to allow the full pension to which George Elmalie is entitled to be paid him?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): I fear that it is not possible to re-open the question of pensions such as Elmalie's, which was granted nearly a year and a half ago. If my hon. Friend will confer with me I will point out to him the difficulties of the case.

SHIPPING BOYS TO CANADA FROM REFORMATORIES.

MR. BRADLAUGH (Northampton): I beg to ask the Secretary of State for the Home Department whether he is aware that in the case of Frederick William Francis, aged under 16, who was confined in the Devon and Exeter Reformatory, Brampford Wood, the term of the lad's detention would in due course have expired in August next, but that on the 12th April last the master of the school, by direction of the directors of the Reformatory, notified Frederick Francis, the father of the lad, that it was proposed to send his son, Frederick William Francis, to Canada; that, although the father in writing refused to assent, the directors, without the knowledge of the father, obtained an order from the Secretary of State for the discharge of the boy from the Reformatory at an earlier date than the expiry of the term, and actually shipped the boy to Canada without the knowledge of, and in direct opposition to the expressed wish of the father; and, whether he will state under what authority this was done, and whether

the action of the directors has his sanction?

MR. MATTHEWS: Yes, Sir; the facts are as stated, except that Francis was 16 years old last January. The practice of the Home Office follows a circular issued in 1885 to the effect that a parent of bad character should not be permitted to exercise a veto on the disposal of a child who has been brought up in a reformatory or industrial school. This boy was sent to Canada, where there was an opening for him, as a reward for his good conduct in the school. He was very anxious to emigrate; he was discharged by my authority three months before the expiration of his sentence to enable him to go. I satisfied myself that the father was a man of drunken and dissipated habits, who had thrown his other children on the parish, and had only contributed 4s. to the support of this boy during the whole time that he was in the school. The boy, moreover, positively refused to go back to his father, who, as he alleged, had ill-treated him. I may add that when the boy wrote to his father to inform him of his intention of emigrating he received no reply.

MR. BRADLAUGH: Will the right hon. Gentleman be good enough to make further inquiries in order to ascertain whether he has not been misled in regard to the communication with the father?

MR. MATTHEWS: What I said was that the boy himself wrote to his father and got no answer.

MR. BRADLAUGH: Is the right hon. Gentleman aware that the father not only denies having received such a communication from his son, but complains of the boy having been sent away without any communications having been made to him?

MR. MATTHEWS: No, Sir; I am not aware of that.

IRELAND—THE OLPHERT ESTATE.

MR. MAC NEILL (Donegal, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether 82 applications on behalf of tenants on the Olphert estate to have fair rents fixed, although received by the Land Commission before the 1st November, 1887, were not heard till June last at the sitting of the Sub-Commissioners at Dunfanaghy and Falcarragh; whether in 20 instances tenants who had lodged

their notices had, in the interval of more than a year and a half which had elapsed between their application to the Court and the hearing of their cases, been actually evicted from their holdings by Mr. Olphert, and had lost their status as tenants; whether in a still greater number of cases tenants had in this interval, by service of registered letters, been converted into caretakers, thus losing their status as tenants; whether the evicted tenants and the tenants who had been converted into caretakers were held by the Court to have no *locus standi*, their cases being dismissed with costs; whether the other tenants declined under the circumstances to have their cases heard, electing to stand by their fellow tenants, whom they considered unjustly deprived of their rights; and, on whom rests the responsibility for this delay?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Land Commissioners report that 92 applications on behalf of tenants on the Olphert estate to have fair rents fixed were listed for hearing before a Sub-Commission in the months of May and June, 1889. These applications had been in most, if not all, cases lodged on or before November 1, 1887. With respect to paragraphs 2 and 3, the Commissioners have no information; but it is to be borne in mind that none of the tenants could have lost their status except through their own default, their interests having been amply safeguarded by statute. The Commissioners are unable to state the motives which influenced the other tenants to withdraw their cases. There was no unnecessary delay in listing the cases on this estate, which had to wait their turn according to priority of date. The Commissioners are ready in all instances to list a case for hearing out of turn on special grounds, of which pending eviction is one, in which an application supported by sufficient evidence is made to them to do so. But no such special application was made from this estate.

MR. T. W. RUSSELL (Tyrone, S.): Are there no means of getting information in reference to the second paragraph of the question?

MR. A. J. BALFOUR: I cannot get the information through the Land Commissioners, but if my hon. Friend will

suggest any other means of obtaining it I shall be happy to make inquiry.

MR. T. W. RUSSELL: I beg to give notice that I will ask a question on the subject on Thursday.

DESIGNS AT THE PATENT OFFICE.

MR. BLUNDELL MAPLE (Camberwell, Dulwich): I beg to ask the President of the Board of Trade whether, at the Patent Office in Southampton Buildings, Chancery Lane, there are now about 700,000 designs, the registration period of which has expired, and if it is in contemplation to have them destroyed; and, would it be possible for these designs to be permanently classified and preserved, that artizans and others might have the benefit of access to them?

*THE PRESIDENT OF THE BOARD TRADE (Sir M. HICKS BEACH, Bristol, W.): There are 504 volumes of expired designs in the Patent Office. I have been in communication with the Master of the Rolls and the Lords of the Committee of Council on Education with regard to their removal to South Kensington. The Master of the Rolls has assented to their removal, and the Department of Science and Art have applied to the Treasury that authority may be granted for the provisional occupation of part of the wall space of a room in the Exhibition galleries in Queen's Gate, but the Treasury refuse sanction to such an arrangement.

SWAZILAND.

MR. W. F. LAWRENCE (Liverpool, Abercromby): I beg to ask the Under Secretary of State for the Colonies whether it is the case that the King of Swaziland has lately granted two concessions, giving power to the grantees to impose licenses in their discretion, to fix customs tariff, and to collect revenue therefrom; also to make treaties with Foreign States for that purpose; whether it is the case that these concessions are now owned by the Transvaal Government; whether he can lay on the Table copies of the concession; and, whether Her Majesty's Government will tender to the King any advice as to the propriety of the course he is taking, so as to prevent the interests of Her Majesty's subjects being prejudiced by such concessions?

Mr. MacNeill

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de Worms, Liverpool, East Toxteth): The Secretary of State has been informed that such concessions are among the numerous ones which the King of Swaziland has signed; but he has no information that they are among those which have been acquired by the South African Republic. As regards the alleged concession relating to licenses, he has heard that it was revoked on the 2nd March. Copies of the concessions are not in the Secretary of State's possession, and, therefore, cannot be laid on the Table. The state of affairs in Swaziland is receiving the careful consideration of Her Majesty's Government. They expect to receive valuable information from Colonel Martin, who, it is believed, is now on his way to that country.

IRELAND—THE SHANNON DRAINAGE.

MR. COX (Clare, E.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what reply the Lord Lieutenant has sent to the resolution of the Limerick Fishery Conservators, requesting the Lord Lieutenant to direct the Board of Works to furnish the Conservators with plans of the proposed Shannon Drainage Works, the Board of Works having refused that information, stating, "it is opposed to the rules of this Department to supply plans"?

MR. A. J. BALFOUR: The resolution referred to was duly acknowledged. I find that the Board of Works forwarded on the 12th instant to the Secretary of the inland fisheries, Limerick district, the general plan of the works now under execution at Lough Allen and Killaloe, and also a plan furnished by the chief hydraulic engineer. They also added that the chief hydraulic engineer will be prepared to afford personal explanations at his office as to certain points connected with the Shannon scheme.

MR. COX: Has that letter been sent since the resolution was passed?

MR. A. J. BALFOUR: I believe the information was given in connection with the resolution of the Conservators.

THE LIMERICK FISHERIES.

MR. COX: I wish to ask the Solicitor General for Ireland if he has received

a copy of a resolution unanimously adopted by the Limerick Fishery Conservators at their meeting on the 4th instant, in which the Limerick Board of Conservators state that they have time after time declared unanimously, both at monthly meetings and at meetings specially convened, to consider the probable result to their fisheries of the Shannon Drainage Bill in its present form, and of the working of the sluices at Killaloe, that, in their opinion, the Shannon Drainage Bill will ruin the fisheries, and, further, that it has been proved to them that through the injudicious working of the sluices at Killaloe, much harm has already resulted to the fisheries; and, what reply, if any, he has sent to the resolution of the Board?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): I have received a copy of a resolution to the effect mentioned in the question. In my reply to the Secretary of the Board of Conservators, I stated that my answer in this House to the question put to me on the subject was founded on information officially supplied by the Board of Works; that it was plain that a difference of opinion existed between the Board of Works and the Board of Conservators as to the effect of the drainage works on the fisheries; and that the Conservators would have a full opportunity of putting forward their view of the case before the Select Committee to which the Drainage Bill would be referred on its passing a Second Reading in this House.

MR. COX: After the conflicting statements which have been made is it not desirable that there should be an independent inquiry?

MR. MADDEN: The case is one which must be decided by the Select Committee.

MR. MAC NEILL: May I ask the Chief Secretary whether, as far back as November, 1888, he did not receive a memorial stating that the proposed drainage works would involve the wholesale destruction of the salmon fry?

MR. A. J. BALFOUR: I cannot answer off-hand any question as to a memorial presented in 1888. I may add that although I introduced the Drainage Bill, all questions relating to the proposed works should in future be

addressed to the Secretary to the Treasury.

ROYAL ARTILLERY, SCOTTISH
DIVISION.

MR. MARJORIBANKS (Berwickshire): I beg to ask the Secretary of State for War whether it is a fact that orders have been given to transfer the dépôt of the 1st Brigade, Scottish Division, Royal Artillery, from Leith Fort to Dunbar, thereby depriving the Artillery of the quarters which it has occupied since 1855, when Lord Lauderdale's house at Dunbar was acquired for its occupation; whether this has been done in face of the strongest representations from the officer commanding the 2nd Brigade, Scottish Division, Royal Artillery, supported by the most influential remonstrances from the counties of East Lothian, Berwickshire, Linlithgowshire, and Peebleshire; whether he is aware that the 2nd Brigade, Scottish Division, Royal Artillery, is one of the few Militia regiments that has of recent years been able to maintain its established strength; that the occupation of these quarters has been greatly instrumental in making the 2nd Brigade the numerous and efficient body it now is, and that its removal from them will seriously damage the discipline and recruiting of the Brigade; and, whether, before allowing such a step to be taken, he will refer the whole subject for inquiry and decision to the Committee now sitting at the War Office to inquire into the deplorable falling off in numbers of the Militia under their present organization?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): This matter is now under consideration at the War Office; and I shall be very glad indeed if it is found possible to meet the wishes of the localities interested.

CROWN LEASES OF AGRICULTURAL
LAND.

COMMANDER BETHELL (York, E.R., Holderness): I beg to ask the Secretary to the Treasury if, in any future agricultural leases granted by the Crown, he will take care that power is reserved to withdraw from Crown tenants such lands as may be required by a Local Authority for the purposes of allotments?

Mr. A. J. Balfour

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): It is a common, though not invariable, practice at the present time to insert in Crown leases of agricultural land a clause for resuming possession of part of the land, or in some instances the whole, making compensation and a reduction of rent to the tenant. But it would be prejudicial to the interests of the land revenues to give an assurance that such a provision as mentioned in the question shall always be inserted.

In reply to a further question by Commander BETHELL,

*MR. JACKSON said: I am afraid it might prove injurious to the Crown Revenues if the power which the hon. and gallant Member suggests were inserted in Crown leases. I believe that the object of the hon. and gallant Gentleman is, as far as possible, to provide that land shall be at the disposal of the Local Authority for allotments, and with that object the Treasury are entirely in sympathy.

COMMANDER BETHELL: Why should not the Crown property be subject to the provisions of the Act of 1887 as well as other property?

*MR. JACKSON: If my hon. and gallant Friend wishes to put a further question, he had better place it on the Paper.

THE RAILWAY DISASTER AT ARMAGH.

MR. T. W. RUSSELL: I beg to ask the President of the Board of Trade whether he has received a Copy of Resolutions adopted by the Town Commissioners of Dungannon, in regard to the recent railway disaster at Armagh; whether it is a fact that, upon the 518 miles of railway worked by the Great Northern Company, only 23 miles are worked upon the block system; whether the Company has a single engine or carriage fitted with a brake fulfilling the requirements of the Board of Trade; whether the railway regulations, as compiled by the Board of Trade, stipulate for a brake van at the end of each train, and if it be a fact that this regulation is not carried out by the Great Northern Company in the case of the limited mail trains between Derry and Dublin; and, whether the Board of Trade, in view of the recent disaster,

intend to take any steps to compel this Company to carry out the regulations?

***SIR M. HICKS BEACH:** The answer to the first two paragraphs of the hon. Member's question is yes. The company has no engine or carriage fitted with a brake fulfilling the requirements of the Board of Trade. One of the precautions recommended in the working of railways is that there should be a brake vehicle with a guard in it at the tail of every train, but the Board of Trade have no power to enforce this precaution.

THE DISTRESSED DISTRICTS IN SCOTLAND.

MR. CALDWELL (Glasgow, St. Rollox): I beg to ask the Chancellor of the Exchequer whether he can now state the intentions of the Government with reference to improving the means of communication and developing the material resources of the districts in the Highlands and Islands of Scotland, the object of the recent visit to the locality by the Secretary for Scotland?

THE CHANCELLOR OF THE EXCHEQUER (Mr. Goschen, St. George's, Hanover Square): No, Sir; I am not yet in a position to do so. The Secretary for Scotland has informed me generally of the impressions made upon him by his visit to the locality in question, and we are very desirous to render aid in some of the directions which he has pointed out, but no actual plan has been formulated.

IRELAND—MR. GILL AND MR. COX.

MR. SEXTON (Belfast, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether Mr. Edward Caraher, Sessional Crown Solicitor for Drogheda, acted within his power in sending by post, to London, on the 1st instant, summonses addressed to Mr. Gill, M.P., and Mr. Cox, M.P., calling on them to appear for trial by a Stipendiary Court at Drogheda on that day week; whether he was authorized to forward, with the summonses, a demand that the honourable Members should put into his hands, by the following Thursday, an undertaking that they would appear at Drogheda on the succeeding Monday; what authority he had to intimate, as he did by letters accompanying the summonses, that unless such undertakings to appear on

Monday the 8th instant reached him by Thursday the 4th instant, "new warrants would forthwith be issued," but if such undertakings were so given, "no action would be taken on the warrants already issued;" whether the required undertakings not having been given, the new warrants were issued; and, whether, if they were issued, any steps were taken to execute them?

MR. A. J. BALFOUR: I am advised that the reply to each of the inquiries in the first and second paragraphs is in the affirmative. The intimation was made by the authority of the Attorney General for Ireland. No new warrants were issued. I may add that the course adopted by the hon. Gentleman was taken after I had called his attention to some observations by the right hon. Member, in which he suggested that the employment of warrants instead of summonses was superfluous.

MR. SEXTON: What I want to know is, whether a summons sent by post from Ireland to London is a summons properly served?

MR. A. J. BALFOUR: The right hon. Gentleman must be well aware that a summons served in this country has no legal force in Ireland, and that the only way of proceeding against persons in this country for offences committed in Ireland is by warrant.

MR. SEXTON: In future, in a case of this kind, when a summons has been issued will the authorities wait until the summons is returnable before they issue a warrant?

MR. A. J. BALFOUR: In this case warrants were issued; but the hon. Members concerned had left Ireland before the warrants were executed. I was asked in this House whether warrants would be executed, and my reply was that they would in due course. The right hon. Gentleman said that would be an unnecessary mode of procedure in the case of persons who had shown no disinclination to appear in answer to a summons. I called the attention of the Attorney General to the matter, and no further warrants were issued.

MR. SEXTON: The point of my question still remains. What I wish to ascertain from the right hon. Gentleman is, whether he will arrange that when summonses have been issued the Government will wait until the day upon which

they are to be heard before issuing warrants?

MR. A. J. BALFOUR: In the event of a summons being issued to Members of Parliament, there will be no attempt, of course, to issue a warrant until it is clear that the person summoned does not intend to appear.

MR. SEXTON: May I ask the right hon. Gentleman whether the prosecution of Mr. Cox, M.P., and Mr. Gill, M.P., having failed in consequence of the rejection by the Magistrates of the evidence of the police reporter, as being unworthy of credit, the Irish Government will defray the expenses imposed upon these honourable Members by reason of this unfounded charge?

MR. A. J. BALFOUR: I have ascertained that there is no precedent for the course suggested by the right hon. Gentleman.

MR. SEXTON: I beg to give notice that on the Vote for Criminal Prosecutions in Ireland I will move that the expenses in the case of these two Members be paid out of that Vote.

THE LISTOWEL RAILWAY STATION.

MR. MAHONY (Meath, N.): I beg to ask the President of the Board of Trade whether it is a fact that the Railway Company have been ordered to erect a footbridge across the line at Listowel Railway Station, county Kerry; and, if so, when the work is likely to be commenced?

*SIR M. HICKS BEACH: The Board of Trade has expressed the opinion that a footbridge across the line at Listowel Railway Station is desirable, but they have no power to order one.

ELECTRIC LIGHTING.

SIR GEORGE CAMPBELL (Kirkcaldy): I beg to ask the President of the Board of Trade whether, in each case in which a Provisional Order for electric lighting has been granted by the Board of Trade the proposed Provisional Order was first formally submitted to the Local Authority of every district in which the Order would have effect, and the consent or refusal of that Local Authority was directly invited, in accordance with the provisions of Section 1 of the Electric Lighting Act of 1888; if he has yet satisfied himself whether the County Council for London is, in regard to the embankment, bridges, and some

main roads, the Local Authority in some parts of the Metropolis; and whether, in addition to a general approval of a model form, the London County Council was invited to consent to any Provisional Order affecting their jurisdiction as Local Authority, and whether they consented; if so, how it comes that they now oppose Provisional Order Bills Nos. 2, 3, 4, and 5, and how it comes that the Corporation of Birmingham oppose the Birmingham Bill?

*SIR M. HICKS BEACH: The Draft Provisional Orders have been in all cases submitted to the Local Authorities in the Metropolis, including the County Council for London. In settling the final terms of those Provisional Orders I have endeavoured as far as possible to give effect to the wishes of those Local Authorities, but it has not been possible for me in every case to satisfy every authority as regards every clause of the Orders. I may mention as an instance that some of the clauses inserted at the instance of the London County Council are objected to by one or more of the Vestries. I have very little doubt that the Committee to whom the Orders have been referred will be able to deal satisfactorily with the few objections still remaining.

In reply to a further question by Sir G. CAMPBELL.

*SIR M. HICKS BEACH said: The Local Authorities have differed on the matter, and we cannot please everybody.

THE ARSENAL GAS STOKERS.

MR. CUNINGHAME GRAHAM (Lanarkshire, N.W.): I beg to ask the Secretary of State for War if he is aware that large numbers of the Arsenal gas stokers are leaving their employment therein, and going to other factories where the hours of labour are only eight per day; and, whether he will consider the advisability of making the normal working day in the Arsenal eight hours, in order to avoid losing the services of the picked workmen in this industry?

*MR. E. STANHOPE: No, Sir; I am not aware that large numbers of the arsenal gas stokers are leaving their employment. Two men have applied lately for discharge in ordinary course. The stokers in the gas factory have been informed that the question of altering

Mr. Sexton

the length of their working day is under consideration; but I shall not act until I know fully the course adopted in similar works not under Government.

THE FALKLAND ISLANDS.

MR. MAC NEILL: I beg to ask the Under Secretary of State for the Colonies whether Mr. James Smith of Stanley, Falkland Islands, who forwarded to the Secretary of State for the Colonies two memorials, dated respectively the 1st May and 7th May, 1889, making grave and specific charges against Mr. Ker, the Governor of those islands, has had any opportunity of seeing the explanation forwarded by Mr. Ker to the Colonial Office in reference to those charges; has the Secretary of State for the Colonies been satisfied with an *ex parte* statement of the Governor in answer to charges which Mr. Smith has expressed himself ready and willing to prove, and for which, on behalf of the colonists, he demands a searching public investigation; and will the Secretary of State for the Colonies have any objection to lay upon the Table of the House Mr. Smith's memorials and the answer of the Governor thereto, which have been forwarded to the Colonial Offices?

BARON H. DE WORMS: Mr. James Smith has not seen the explanation sent by the Governor in reference to his charges. The Secretary of State is satisfied with the Governor's statement in answer to the charges which appear to have been made on imperfect information. Mr. Smith has asked for an inquiry, but has not expressed himself ready and willing to prove his allegations. There is nothing to show that he represents the views or wishes of any other colonist, and he has on previous occasions shown personal hostility to the Governor. The Governor is expected to come to England shortly on leave, when he will be able to give any further information that may be required with reference to these personal attacks upon him. Pending his arrival the Secretary of State must decline to present any papers, nor can he promise that he will do so.

MR. MACNEILL: Is the hon. Gentleman aware that Mr. Smith, in making these charges, was backed up by the public opinion of the country expressed at public meetings?

BARON H. DE WORMS: No, Sir; I am not aware of that.

THE EX-SULTAN OF PERAK.

MR. FRANCIS STEVENSON (Suffolk, Eye): I beg to ask the Under Secretary of State for the Colonies whether the ex-Sultan of Perak has now been kept for more than twelve years in confinement at Port Victoria, in the Seychelles Islands, with the exception of a short period during which he was allowed to visit Mauritius, although, at his trial, no evidence was adduced to show that he was implicated, either directly or indirectly, in the murder of Mr. Birch; whether he has repeatedly declared his innocence of the charge brought against him, and has requested leave to visit England at his own expense for the purpose of placing the facts of the case before the Government; but his request has been refused; whether he was the only one of the suzerains of the Malay Peninsula who asked for a British protectorate over his country, helped to bring about the surrender of the turbulent petty States, and secured the Pangkor Treaty; and, whether, in view of the services rendered by him in the past, and in view of the grave injustice alleged to have been done, the Government will undertake to give to the subject their most careful consideration?

BARON H. DE WORMS: The Executive Council of the Straits Settlements were fully satisfied of the guilt of the ex-Sultan, who, under the instructions of Lord Carnarvon, the then Secretary of State, was accordingly, after very careful consideration of all the circumstances, removed to the Seychelles. Nothing has since occurred to throw any doubt on the justice of the decision then taken. The ex-Sultan owed his elevation to the Sultanship to the Colonial Government as one of the conditions of the Pangkor Treaty. Her Majesty's Government are now considering whether, after the long term of his residence in the Seychelles, and his uniform good conduct, any steps can be taken to ameliorate his position.

THE ADVANCE OF THE DERVISHES.

MR. BRYCE (Aberdeen, S.): I beg to ask the Secretary of State for War whether he can inform the House what

is the latest news as to the position and movements of the force of invading dervishes in Nubia, and as to the dispositions that are being taken to repel them?

*MR. E. STANHOPE: I have not much additional news to communicate to the House. The advance of N'jumi's force has now been checked for several days, and he is still near Abu Simbel. Sir Francis Grenfell has gone to the front from Assouan to inspect the position. It is also reported to us that there is news of a further reinforcement of 1,500 dervishes at Sarras. The friendly Sheikh of the Second Cataract with his men has captured two guns complete at Gemai, near Wady Halfa.

SIR W. LAWSON (Cumberland, Cocker-mouth): May I ask the Under Secretary of State for Foreign Affairs if he has now obtained the information he promised to get as to whether it is true that a proclamation has been issued calling for the infliction of the death penalty on all natives who should traffic with the dervishes?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSSON, Manchester, N.W.): If the hon. Member will be good enough to give notice of the terms of the question, I will endeavour to obtain information.

IRELAND—THE RECTOR OF CARNALWEY.

MR. CAREW (Kildare, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the criminal proceedings instituted against the Rector of Carnalwey, County Kildare, and others, for disturbing graves and indecently exposing and removing human remains in the churchyard of Carnalwey parish, in which two out of four Magistrates at the Petty Sessions Court, Kilcullen, on Monday 24th June, were for returning informations to the assizes, while two dissented, and the informations were refused; whether he is aware that on an application being made by counsel to the Judge at the Assizes at Naas, on the 2nd instant, to allow a bill for the same offence to be sent up to the grand jury, the Judge refused permission, and stated that the case should go back to the Petty Sessions Court, adding, that any one Magistrate could return informations; and, whether,

Mr. Bryce

having regard to the strong feelings that exist among all classes in the locality on this matter, he will state what steps he intends to take to secure a proper adjudication at the next hearing in view of the fact that the local Magistrates are unwilling to act?

MR. A. J. BALFOUR: I understand that it is the case that some graves were disturbed in connection with preparations for the enlargement of the church. When the case came before the Petty Sessions Court several faculties granted by the Archbishop to the defendant, giving him permission to dig up any graves which interfered with the proposed enlargement, were produced, and on that evidence a majority of the Bench refused information. One of the Magistrates constituting the Bench appears to have dissented. The Judge of Assize did refuse to allow a Bill to be sent up to the Grand Jury, stating that one Magistrate in Petty Sessions could return informations, should the case be brought on there again. So far as the Constabulary Authorities are aware, there is no reason to believe that the local Magistrates are unwilling to act in the matter.

NEWFOUNDLAND.

SIR GEORGE CAMPBELL: I beg to ask the Under Secretary of State for Foreign Affairs if there is still outstanding an old chronic quarrel with the French about rights on the coast of Newfoundland; and, whether, looking to the character of the case, Her Majesty's Government have proposed to refer the whole matter to arbitration; or, if not, whether they will now do so?

*SIR J. FERGUSSON: The dispute in question relates to the interpretation to be placed on Art XIII. of the Treaty of Utrecht of 1713, and on the arrangements made at Versailles in 1783. A summary of it is given in Lord Derby's despatch of June 12, 1884 to the Governors of Newfoundland, which was laid before Parliament in January 1886, together with an arrangement signed at Paris in April of that year for the settlement of the several points at issue. That arrangement has, unfortunately, not taken effect, as the Legislature of Newfoundland refused their consent to it, and questions continue to arise from time to time as to the interpretation of the Treaties. Whether those questions

or any portion of them can with advantage be referred to arbitration is a matter which requires careful consideration, and on which Her Majesty's Government cannot undertake at present to express an opinion. As I have before said, difficulties arising out of the respective claims of the two countries have hitherto been prevented from becoming acute by the conciliatory action of the Governments and of their officers.

SIR G. CAMPBELL: As Her Majesty's Government have been considering this question for upwards of a century and a half, it might be thought that one conclusion or another had been arrived at by this time.

*SIR J. FERGUSSON: As no serious quarrel has resulted, this shows the advantage of not being in a hurry.

POSTAL ARRANGEMENTS IN SCOTLAND.

MR. ANGUS SUTHERLAND (Sutherland): I beg to ask the Postmaster General whether his attention has been called to the great public inconvenience caused by the withdrawal of the Post Office sorting van from mail trains on the Highland Railway to the north of Tain; whether it is the case that letters posted at certain post offices in the said locality, and addressed to local offices only a few miles distant, are not delivered until next day, and are meanwhile carried far past their destination by trains that stop at every station, and carried back over the same ground on the following day, thus causing a delay in delivery in many cases of over 24 hours; and whether, in view of the injury thus done to the trade of the district, the Postmaster General will consider the advisability of continuing the Post Office sorting van on to Wick, or to Helmsdale at least?

A LORD OF THE TREASURY (Sir H. MAXWELL, Wigtonshire): In the absence of the Postmaster General, I have to say that the answer of my right hon. Friend is as follows:—I am aware of the circumstances to which the hon. Member calls my attention. The inconvenience complained of has, I think, been much exaggerated. No evidence of injury to trade has been laid before me, and the correspondence affected is very small in amount. Having regard to the very large expenditure already incurred in maintaining the postal ser-

vice in this district, I cannot hold out any expectation that the sorting tender will again be run in the mail train north of Tain unless the railway company are prepared to run it without requiring additional payment.

MR. A. SUTHERLAND: Is the hon. Gentleman aware that the postal facilities, instead of having been increased, are decreased?

SIR H. MAXWELL: I am unable to express an opinion, as the matter does not affect the Department with which I am concerned.

THE ENDOWED SCHOOLS ACT.

MR. THOMAS ELLIS (Merionethshire): I beg to ask the hon. Member for Penrith whether he will consent to lay upon the Table of the House a copy of the correspondence which took place between the Oxford University Commissioners and the Charity Commissioners as to the capital sum of £20,000, part of the endowment of the Rev. Edward Meyrick, at Jesus College, Oxford, which it was proposed to deal with by a scheme under the Endowed Schools Act for the benefit of education in Wales?

MR. J. W. LOWTHER (Cumberland, Penrith): As far as the Charity Commissioners are concerned, there is no objection to the presentation of the correspondence referred to.

MILITARY BANDS AND POLITICS.

CAPTAIN SELWYN (Cambridge, Wisbech): I beg to ask the Secretary of State for War whether it is a fact, as stated in an evening newspaper of the 12th instant, that Mr. Dan Godfrey's band will play in the Library of the National Liberal Club on the 26th instant; whether the band so described is one of the bands of Her Majesty's Brigade of Guards; and, whether this band is to play by leave from the Military Authorities at political demonstrations?

*MR. E. STANHOPE: I am informed that the band which will perform on the occasion referred to is a private band, conducted by Mr. Dan Godfrey, jun., who is a civilian.

EDUCATION IN WALES.

MR. THOMAS ELLIS: I beg to ask the Vice President of the Committee of Council on Education whether he will

add to the Report of Her Majesty's Inspector for the Welsh Division the list of the attendances, grants earned, and the accommodation provided in each public elementary school within the division; also, whether he will issue instructions to Her Majesty's Inspectors of Schools in Wales embodying such of the recommendations of the Royal Commission on the Elementary Education Act relative to the utilization of the Welsh language in elementary teaching in Wales as are embodied in the Education Code, or take some other means to make these provisions, unanimously approved by the Welsh people, effective?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The Report of Her Majesty's Inspector is in too forward a state of preparation for this to be done now; but I will consult the Stationery Office as to how far it might be possible to adopt the hon. Member's suggestion on the next occasion. In regard to the second question of the hon. Member, I deeply regret the postponement of these changes which were welcomed with complete unanimity throughout Wales. They will, I trust, be introduced into the next Code. It will, however, be observed that in the Code of 1888 managers are empowered to submit to the inspector progressive schemes of lessons in the subjects named in the second schedule, and this provision does enable instruction in all the class subjects to be adapted to the special circumstances of Welsh schools. Welsh, as the hon. Members are aware, is already recognized as a specific subject.

THE MERCHANDISE MARKS ACT.

MR. HOWARD VINCENT: I beg to ask the Attorney General if the Director of Public Prosecutions is justified under the present law in taking action in a case arising under "The Merchandise Marks Act, 1887," if the circumstances indicate that the ends of justice are likely to be defeated, or if there is necessity for fresh legislation upon the subject?

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): The duties of the Director of Public Prosecutions are controlled by rules which came into force on the 25th day of January, 1886. Under these rules the Director can take

proceedings in any case in which a prosecution is, in his opinion, required in the public interest, or the action of the Public Prosecutor is necessary to secure the due prosecution of the offender; moreover, under these rules the Secretary of State, or the Attorney General, can instruct the Director of Public Prosecutions to take up any particular case. There is not, in my opinion, any necessity for fresh legislation.

IRELAND—CATHOLIC BISHOPS AND UNIVERSITY EDUCATION.

MR. PARNELL (Cork): I beg to ask the Chief Secretary for Ireland whether the attention of Her Majesty's Government has been drawn to the claim, in the matter of Irish University Education, put forward in resolutions adopted by the Standing Committee of the Catholic Bishops of Ireland, at a meeting held on the 21st of March last; and, whether it is the intention of Her Majesty's Government to adopt the measures necessary for removal of the grievances complained of in those resolutions?

MR. A. J. BALFOUR: The resolutions of the Standing Committee of the Catholic Bishops of Ireland have, I believe, been forwarded to the Prime Minister and the First Lord of the Treasury. I have not seen a copy until to-day. The resolutions deal with many questions, and cover the whole field of education in Ireland. Without giving specific answers to the various points alluded to in them, I may say that some of them, notably higher education, have long been under the consideration of the Government, and in respect of these we hope to be able to make proposals to the House.

MR. J. MORLEY (Newcastle-on-Tyne): Have Training Colleges been included in the consideration of the Government?

MR. A. J. BALFOUR: Yes, they have been; and something ought to be done with regard to them; but I do not think they are to be put on the same level of interest as higher education.

THE TRIAL OF FATHER M'FADDEN.

SIR JOHN SWINBURNE (Staffordshire, Lichfield): I beg to ask the First Lord of the Treasury whether Her Majesty's Government intend to exercise their strict legal right of selecting a

Mr. Thomas Ellis

jury when Father M'Fadden and others are tried at the adjourned Assizes at Maryborough, on the 16th of October next, with reference to the death of Sub-Inspector Martin?

MR. A. J. BALFOUR: My right hon. Friend has asked me to reply to this question. I am advised that the conduct of the prosecution is in the hands of the Attorney General for Ireland, who will take such course as he may deem necessary for securing the ends of justice.

SIR J. SWINBURNE: Will the Attorney General be advised by Her Majesty's Government in Council, or will he act entirely upon his own judgment, in causing jurors to stand by? I hold in my hand a list of 200 jurymen summoned to try a charge of riot, of whom no less than 65 were ordered by the Crown to stand by, whereas the prisoners were only allowed to challenge six.

MR. A. J. BALFOUR: The matter rests entirely in the hands of the Attorney General.

MR. W. MACDONALD (Queen's County, Ossory): Is it true that in Maryborough, where the trial is to take place, only last week 27 special jurors were ordered by the Crown to stand by; and that after the jury had been sworn one juror said, in open Court "I object to try a man for his life, with a packed jury." If this is true, will not the right hon. Gentleman exercise some influence with the Attorney General to prevent the recurrence of a similar state of things?

MR. A. J. BALFOUR: I am not aware whether the facts alleged by the hon. Member are true or not; but in any case they are exceedingly irrelevant, and would not form any justification for my interference here.

MUZZLING OF DOGS.

SIR HENRY ROSCOE (Manchester, S.): I beg to ask the First Lord of the Treasury whether any order has yet been issued by the Privy Council as to the general muzzling of dogs throughout the country, in face of the fact of the large number of cases of rabies which have recently occurred; and, if he will state what powers exist for the destruction of stray dogs by Local Authorities?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, West-

minster): It has not been deemed expedient to pass a General Order at present; but the Privy Council have issued an Order requiring the muzzling of all dogs within the Metropolitan Police District (a radius of 15 miles from Charing Cross) from August 1 to December 31. The Returns of rabies in the Metropolis and neighbourhood during the first six months of 1889 show a steady increase of the disease. The police in the Metropolis have power to destroy stray dogs; but Local Authorities generally have no such power under the Dogs Act of 1871, unless a mad dog, or a dog suspected of being mad, is found within their jurisdiction. It is possible that some Local Acts may give Local Authorities greater power; but the Privy Council have no information on the subject. Under the Contagious Diseases (Animals) Act of 1878, the Privy Council can only sanction the detention, but not the destruction, of stray dogs.

SIR W. LAWSON: Has there been a large increase of mad dogs?

*MR. W. H. SMITH: I am not aware that there has been a large increase, but there has been an increase.

THE BANN DRAINAGE BILL.

MR. PHILIPPS (Lanarkshire, Mid): I beg to ask the First Lord of the Treasury whether, after the vote of the House on Friday, the Government will re-consider their intention to proceed with the Bann Drainage Bill this Session?

*MR. W. H. SMITH: The hon. Gentleman must be well aware of the peculiar circumstances under which the vote on Friday was given, and the cause of the comparatively low score on this side of the House. The Government certainly see no reason to alter their intention with regard to the Bill.

MR. PHILIPPS: What was the cause referred to?

*MR. SPEAKER: Order, order!

PLEURO-PNEUMONIA.

MAJOR RASCH (Essex, S.E.): I beg to ask the First Lord of the Treasury whether the Government will, during the Recess, take into serious consideration the advisability of paying compensation for slaughter in pleuro-pneumonia out of a central fund, instead of county rates, having regard to the extreme un-

book being, as the Committee are of opinion, and as I am of opinion, concocted solely for the purpose of deceiving the Committee. It is because I trust the Government will do nothing to bring this man to the Bar of the House, but will take measures to bring him before a tribunal which I hope may be more fitted to deal with him, and with any others with whom he has conspired—if he has conspired with others, as I believe he has—that I desired to make this statement. It is clear that the House, in its judicial capacity, could deal with the case at once; but I do not think the House acts best in its judicial capacity on statements made to it, nor do I think it is worthy of the dignity of the House to deal at its Bar with petty criminals who would be best dealt with by a Police Magistrate. This is a case in which, on the admission of the man himself—and I will not go outside his sworn answers, all the evidence having been taken on oath—he and some others paid a small sum of money—£500—for the purpose of reviving an old Assurance Company, so as to avoid that which the Legislature has decided shall be done in all these cases—namely, a deposit made of £20,000 to show *bona fides* on the part of those who go to the poor for their money. The whole of the transactions of this society, from the time of taking it over until now, have been so irregular in their character that unless they had been intended to be fraudulent the irregularity is inexplicable. The premiums have never been paid into any bankers, and the banking accounts on July 1st, with something like 150,000 policies out, show £3 2s. 6d. to credit at one bank and £3 13s. 6d. overdrawn at another. The witness gave most extraordinary answers. It is just to him that I should say that the Chairman of the Committee has sent me a letter from Martin stating that his replies were given in a state of great mental confusion, but as his mental confusion extended over both sittings and only arose when he was confronted with inconvenient facts—for he was very distinct when he said he had paid a sum of money on his shares, and his confusion only arose when asked how he had paid it and when he had paid it, and it turned out that he had not paid it at all—I suggest that there can be no escape on the ground of mental

Mr. Bradlaugh.

confusion. The Yorkshire Provident Association, as it stands on the evidence reported to this House by the Committee, to be taken at its best is a society without any means whatever except £300, in two debentures—one at Burnley and the other at Leeds—has to face a vast liability to a large number of poor unfortunate people, who can never possibly get their money unless other unfortunate people can be induced to pay premiums. The thing is fraudulent from beginning to end. The mere fact that this man committed perjury at his examination will not, I hope, be treated as a breach of privilege. I trust the Government will think it right to appoint a Committee to examine into this special Report and the whole question connected with this Assurance Company, and if it is possible to do it—as I believe it is—will send the case to a Court having criminal jurisdiction, so that there may be a full investigation into the frauds which I allege it has been attempted to perpetrate on poor people during the past three years. It is because I hope the House will not treat this as a question of privilege that I have taken leave to make this statement to the House before the Government submit their proposal.

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I need scarcely assure the House that this special Report has received the most careful consideration of Her Majesty's Government; but I do not think it would be fitting or desirable that I should follow the hon. Member for Northampton into the merits of the case, as I feel that no expression of opinion should be given with regard to them until there has been a thorough examination of the matter; though I have no doubt the hon. Member may have ample grounds for the opinion he has expressed, it would not be well for the House to pronounce upon the conduct of this man or this society until after a full investigation. The Government have considered the evidence very carefully, and I am bound to admit that there are circumstances connected with this man's evidence, both with reference to the answers he gave and, I should think, the manner in which he gave them, as well as the transactions in which he was concerned, which call for the fullest and strictest investigation.

It must be plain to everyone that the House cannot deal with the case, not having seen the book in which the entries were made. The book has very properly been sealed up for the purpose of being kept intact until inquiry is made, and I gather that it is necessary that the matter should be sifted and investigated by further evidence. This House, fully assembled, is not fitted to deal with such evidence, and I, therefore, do not think it necessary—though I admit the gravity of the matter—to give further reasons for the Motion I now submit. I venture to move—

"That a Select Committee be appointed to inquire into the affairs of the Yorkshire Provident Assurance Company, to consider the special Report of the Select Committee on Friendly Societies, and to report to the House what action should be taken thereon."

I have ventured to put in the last words of the Motion because it has been on previous occasions found inconvenient that the House should not receive some suggestion from the Select Committee. The question as to what action should be taken will be left open, and probably those who make the investigations will be the best able to offer a suggestion as to the course which should be followed. My reason for inserting the opening words is that I am not quite sure whether without special power the Committee would have power to inquire into the special affairs of the Assurance Company. It might be said they only had power to inquire into the general organization and the rules of the society. I think it is better that power should be given to the Committee on the terms I have submitted.

Ordered, "That a Select Committee be appointed to inquire into the affairs of the Yorkshire Provident Insurance Company, to consider the Special Report of the Select Committee on Friendly Societies, and to report to the House what action should be taken thereon."
—(*Mr. Attorney General.*)

*SIR R. WEBSTER (Isle of Wight): I think I am entitled now to move the names of the Committee.

SIR W. HARCOURT: Notice should be given.

*MR. SPEAKER: As this is a matter of privilege, standing on the Paper as such, the hon. and learned Member is entitled to move the Committee without Notice.

Motion made, and Question proposed,

"That the Solicitor General, Sir C. Russell, Mr. Forrest Fulton, Mr. F. W. Maclean, and Mr. Molloy be appointed the Committee."
—(*Mr. Attorney General.*)

SIR W. HARCOURT: I do not make any objection to the proposal of the hon. and learned Gentleman as to the names he has given, but I think that in matters of this kind we ought not to lay down precedents that may be dangerous in the future. I do not see on the Notice Paper any intimation that this is a matter of privilege, and I rather understood that the hon. Member for Northampton disclaimed treating it as a question of privilege, desiring that it should be dealt with otherwise with a view to its being made a criminal charge. That alters the case very materially, and I certainly think the House should not embark on the initiatory stage of criminal proceedings without due notice. As to the names of the Committee, it is very material that we should reserve to the House generally its judgment, and particularly in cases of privilege. I hope the House will not imagine that I am saying this by way of captious objection to the names on the present proceeding. I only desire to impress upon the House the necessity of guarding precedents, for there might in future cases of breach of privilege be names suggested without notice, to which some might object and for which Members might like to substitute other names.

*MR. W. H. SMITH: I believe it will be held by the authorities that when evidence of the kind referred to by the hon. Member for Northampton has been given and a Committee has reported as the Friendly Societies Committee reported the question is treated as one of privilege. I admit that precedents must be carefully guarded, and if I had not understood that precedents were in favour of the course proposed, I would not have asked the Attorney General to make the proposal he has made. Even now if there is any desire that the nomination of the Committee should be postponed until to-morrow, there will be no hesitation on the part of the Government to accede to it. It is, however, always desirable in these matters, to proceed with convenient haste, and if the matter is dealt with at once, it shall be on the distinct understanding that

this is not to be regarded as regulating future action.

MR. GLADSTONE (Edinburgh, Mid Lothian): No one can complain of the spirit of this conversation. Perhaps you, Mr. Speaker, will say what the practice in these cases is.

*MR. SPEAKER: Any case of perjury before the Committee of this House is an offence which constitutes breach of privilege upon which the House could immediately take action. The hon. Member for Northampton put the case before me the other day, and stated that he would move that the Report of the Committee be considered to-day. It would have been more in order, perhaps, if the matter had been put on the Paper in a different form, and I had intended that it should be, so as to draw special attention to it—that is, with a line separating it from the other Orders of the Day. As, however, the question is one of privilege, the names of the Committee can be proposed immediately, although I do not say the course may not be objected to, if the House thinks proper.

MR. GLADSTONE: That, I think, is quite enough.

DR. CLARK (Caithness): I would propose that the names of the hon. Member for Liverpool (Mr. W. F. Lawrence) and the hon. Member for Northampton (Mr. Bradlaugh) be added to the Committee, as those Members have sat on the Friendly Societies Committee, and are familiar with the circumstances of the case.

*MR. W. H. SMITH: It is for the House to say what other Members shall be on the Committee. The Government have no objection to the suggestion.

*MR. BRADLAUGH: I must say I think it would be better—and in this I believe I am expressing the views of the Chairman of the Friendly Societies Committee—if this Committee were composed of Members who would bring fresh minds to bear on the question. It should not be dealt with by those who are prejudiced—as I myself certainly am.

The Select Committee was accordingly nominated of Mr. Solicitor General, Sir Charles Russell, Mr. Forest Fulton, Mr. Francis W. Maclean, and Mr. Molloy.

Mr. W. H. Smith

Ordered, That the Committee have power to call for persons, papers, and records.

Ordered, That three be the Quorum.

BANN DRAINAGE [GRANTS, &c.]

Resolution reported.

“That it is expedient to make a free Grant, not exceeding the sum of £20,000, out of moneys to be provided by Parliament, for defraying a part of the costs of any works to be executed under any Act of the present Session for the improvement of the Drainage of Lands, and for the prevention of Inundations within the catchment area of Lough Neagh and the Lower Bann, and also to authorize the Board of Works in Ireland to make advances, out of moneys to be provided by Parliament, for the purposes of the said Act.”

Resolution read a second time.

Motion made, and Question put, “That this House doth agree with the Committee in the said Resolution.”

MR. BIGGAR (Cavan, W.): I feel called upon to oppose this Motion for a variety of reasons, one of which is that the Bill, if passed into law, would be practically inoperative. Though the Bill has only been introduced a short time, I find that on the 11th of July, 1889, a resolution was passed by one of the South Derry Boards of Guardians, interested in the district of the Bann, protesting against the scheme, and asking a number of other Poor Law Boards to join with them in opposing it. I think the time of this House should not be wasted in passing Bills which will be inoperative. A large amount of this money, if it is granted, will have to be expended in preliminary surveys and unremunerative work. It will be entirely thrown away, no benefit whatever accruing from it. As the Session is far advanced, I think it would be well if the Government withdrew the Bill and introduced a more carefully-considered measure at the commencement of a future Session. I beg leave to oppose the Motion.

The House divided:—Ayes 153; Noes 95.—(Div. List, No. 205.)

LOCAL GOVERNMENT (SCOTLAND) BILL (No. 187) AND LOCAL GOVERNMENT (SCOTLAND) SUPPLEMENTARY PROVISIONS BILL (No. 188).

Considered in Committee.

(In the Committee.)

LOCAL GOVERNMENT (SCOTLAND)
BILL (No. 187).

A Clause (Special provisions as to service franchise occupiers,)—(*The Lord Advocate*,)—brought up, and read the first time.

Question proposed, "That the Clause be read a second time."

MR. MARJORIBANKS (Berwickshire): I hoped in rising to have received from the right hon. and learned Lord Advocate some sign which would have rendered my remarks on this clause unnecessary, and I am sorry that the right hon. Gentleman has made no such sign. I am afraid that I must say a few words more in continuation of the discussion of Friday last. I wish to point out how large is the proportion of service franchise voters compared with the other voters of all kinds. In my own constituency, for example, out of 5,842 voters there are no fewer than 2,127 service voters, against 3,715 voters of all other kinds. The effect of the clause will be to give power to the employer to fine the *employés* for being on the register of voters for the County Council. There appears to me to be no adequate reason for placing an additional column on the Roll when no such additional column on the roll is required for Parliamentary voters. With regard to the second part of the clause, I consider it most objectionable. Let me take the case of ordinary farm servants. Large holdings are common in Scotland; there are farms of 500 to 700 acres producing a rent of from £750 to £1,000 a year, upon which probably some 12 or 14 farm servants are employed, who will become voters under this Act. They will get the vote because they dwell in certain houses; but such houses are as much part of the farm as the stables and farm buildings, and it is impossible to separate them from the farm. They cost nothing to the farmer or occupier of the holding, but they have been built entirely by the capital of the landlord, and if relief is given in respect of them it should be given to those by whose capital they are maintained. An endeavour to separate them into separate holdings will prove a ridiculous, impossible, and useless task. In practical working, the clause will either be a sham, or if it is put in

force it will be used to gratify spite and create quarrels between the employer and the *employé*. I shall therefore oppose the clause with all my power, and shall certainly press the opposition to a Division.

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): It is only right that I should say a word upon this clause. I confess that I do not see that it merits the hostility which the right hon. Gentleman has manifested towards it. The Government have borne in mind what was said in the course of the Debates on the Second Reading concerning this point. Much that was said was very much to the purpose, and indicated a view not very different from the view we had ourselves. Then hon. Members were all agreed that the service franchise voters should, like all other voters, feel the rise and fall of rates; that they should have an interest in economy, and be brought into direct contact with the question of economy, in order that their conduct might be influenced thereby. On the other hand, it was pointed out by some hon. Members on the Opposition side that the service voters did pay rates indirectly to their masters. The Government examined the question, and found that there was a great deal to be said to sustain that allegation. They took it for granted that these men were paying rates because they had without question been put upon the Parliamentary roll. Take the case of the miners. In that case the rates undoubtedly enter into the computation as to what the miner shall receive in the shape of wages. The service covers a wide range of service, and a considerable number of miners are included. Then we say, "If you have an arrangement with your master by which you are not liable for rates, and there is a lump sum which covers the rates, there is no question about the matter; but if the master is paying your rates and you are paying nothing, directly or indirectly, then we shall have a right of relief against you." Can anything be fairer than that? You have there a recognition of the rates being indirectly paid, and when that is so the voter will never be asked for a farthing. Henceforward it may be necessary to say in the hiring that the wages shall cover the house and rates. The service men will all vote, and will not pay, except in those cases where they

are let off the rates and another person pays them. I think that, in the circumstances, the Government have made a suitable arrangement of the matter.

SIR G. TREVELYAN (Glasgow, Bridgeton): I rise to answer the somewhat mild remarks of the right hon. and learned Gentleman opposite. Many of us on this side of the House have no objection, in fact we rather approve of the first half of the clause, which provides that the amount of rates paid by a service franchise house shall be entered in the rate book. But we object to the second half as an unnecessary interference between employers and employed—between the relations of the man who rents a main block of buildings and the man who occupies a single cottage in the block. If there is any meaning at all in the last half of the clause it is that the Government still adhere to the principle that the personal payment of rates, or the liability in certain circumstances to personal payment, is in some sense a guarantee that a man is a good citizen and fit to vote. This clause does not carry out that principle fully; but it does so in a manner which gives no guarantee from a public point of view. But it gives the master a hold over the man, without giving the slightest guarantee that the man is a solvent ratepayer. On this side of the House we object to the recognition of the principle altogether. There is a large and increasing number of us who object to the principle of ratepaying being a qualification for the franchise. The clause as it stands will considerably weight the Bill; it will give a good deal of trouble; and it is an unnecessary interference with the private relations of the employer and the employed. I think the Government will do well to leave the matter alone.

The Committee divided:—Ayes, 164; Noes, 129.—(Div. List, No. 206.)

Question proposed, "That this Clause be added to the Bill."

*MR. D. CRAWFORD (Lanarkshire, N.): I beg to move an Amendment to the clause by leaving out all the words after the word "entry," in line 9. It has been the distinction between Scotland and England for a very long time that in England the fact that a man was rated to the poor was regarded as a necessary qualification for the Parliamentary franchise, whereas in Scotland

that was not so. There was a considerable conflict of opinion in Scotland when the last Reform Act was passed. By the old definition of a dwelling-house in the Act of 1868 as the foundation of household suffrage, the word dwelling-house was defined as premises in respect of which a man was rated to the poor. That provision was repealed in 1884, and all reference to the rating was taken out. Many Members of the House are aware that it was largely due to the efforts of Scotch Members and other people acquainted with the affairs of Scotland, that the service franchise was admitted into that measure at all. It was pointed out that if that were not done a large part of the very best citizens of Scotland would be deprived of the right of voting. The principle having been to the fullest extent given effect to by the Act of 1854, it is attempted in this clause to go back upon it and to say that a man shall not enjoy the right to vote for a member of the Council unless his employers report that he has paid his rates for the house he occupied. That is a double mistake, because, in the first place, it refers to the necessity of paying rates, which is foreign to the Scotch system; and, secondly, because it puts it into the power of the master to insist upon that payment. And there is not the slightest doubt that the exercise of that influence by the employers at elections would have a most disturbing, and, I may say, a most corrupting effect upon the result of the elections. Upon this ground I move to leave out all the words after line 9.

Amendment proposed to the proposed new Clause, to leave out all the words after line 9.—(Mr. Donald Crawford.)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. J. P. B. ROBERTSON: I must say that I could not follow the hon. and learned Gentleman in his argument. The first nine lines of the clause would be absolutely useless without the following part of it; and I would suggest to the hon. and learned Gentleman that this is a very difficult way of raising a question which has been already decided.

Question put, and agreed to.

Clause added.

Mr. J. P. B. Robertson

*MR. HOZIER (Lanarkshire, S.): I beg to withdraw the clause which stands on the Paper in my name.

*MR. JOHN WILSON (Govan): The clause which stands in my name is one to do away with an anomaly which exists between some of the large boroughs of Scotland and what are called Royal boroughs. The borough of the division which I have the honour to represent contains 55,000 inhabitants, but it has not the privileges of a Royal borough some of which do not contain a tenth part of the population. The only point on which such large boroughs are in touch with the County Authorities is in the levying of small rates. I am glad to state that this matter has been arranged, with the concurrence of the hon. Member for South Lanark, who, all through this Bill, has acted as guardian of the interests of the county, and you may assume, therefore, that on the part of the County Authorities there are no objection to this clause being added to the Bill. I am sure I may appeal to the sense of fairness and justice of the Lord Advocate, and ask him to add this clause to the Bill.

New Clause (Royal Burghs.)—(*Mr. John Wilson*)—brought up, and read the first time.

Question proposed, "That the Clause be read a second time."

*MR. HOZIER: I hope the Government will see their way to accepting this clause of my hon. Friend, and I am fully authorized to say that the County Authorities of Lanarkshire see no objection to the proposal which is contained in it.

MR. J. P. B. ROBERTSON: I rise at once for the purpose of saying that the Government cannot accept this Amendment. The question was mooted in an earlier part of the Bill, and I then announced that I opposed any change in the status of the Royal burghs, and to that position I must adhere. I resisted the proposals which came from the side of Glasgow as I now resist this proposal; and I cannot say that I see any substantial reasons, on the merits of this proposal, which would induce us to confer on police boroughs of the size referred to a status which they do not possess.

*MR. CAMPBELL - BANNERMAN (Stirling Burghs): I confess that my sympathies are with the view taken by

the Lord Advocate, and perfectly appreciate his position as to the way in which this proposal would affect Glasgow and some of the big burghs grouped around it; but, being free from the right hon. Gentleman's responsibilities, I cannot but agree with my hon. Friend who has moved the new clause; and I would even go further than he has done, for he has very modestly put it that a police burgh shall be a burgh having not less than 30,000 population. I cannot see why there should not be some self-governing limit laid down, so that every community above that limit should have self-governing powers.

Question put, and negatived.

*MR. HOZIER: I beg to move the new clause which stands in my name, the reason for which is that the Act can be more efficiently carried out in larger areas than the burghs.

New Clause (Contagious Diseases (Animals) Act)—(*Mr. Hunter*)—brought up, and read the first time.

Question proposed, "That the Clause be read a second time."

MR. J. P. B. ROBERTSON: This is undoubtedly an important subject; but I would suggest to my hon. Friend that the clause he proposes is not the most convenient way of raising the question. The question is, whether the Acts of Parliament relating to the health of cattle can best be enforced in districts of the existing size or not; and on this subject there are great differences of opinion. On the one hand, the smaller Local Authorities are very jealous of their existing privileges; and, on the other hand, there is a growing opinion that the areas are too small for the efficient working of the Acts. However, be that as it may, this is not a question of local government, but of the law relating to the health of cattle, and ought not to be brought up incidentally on a question touching the municipal privileges of burghs, but should rather be dealt with on a review of the best methods of carrying out those Acts. Therefore, seeing that agricultural questions are at the present time coming forward for discussion, I would suggest that my hon. Friend should reserve this proposal for some occasion on which it can be more deliberately and more appropriately considered.

*MR. BARCLAY (Forfarshire): I agree in thinking it desirable that such a Committee as has been suggested should be appointed, as there is a strong feeling that the powers of the Local Authorities in the smaller burghs are not sufficient; but I think there is much force in what the Lord Advocate has said, and I hardly think the clause can be practically dealt with in this Bill. For instance, it contains no provision with regard to the expenses that would necessarily be incurred by the Joint Committee, and unless some such provision were made there would be difficulty in carrying out the clause. I hope the new Minister of Agriculture will take the question up, as it is one of great importance to agriculturists.

SIR G. CAMPBELL (Kirkcaldy): I am in some doubt as to the way in which I should give my vote; but I think there is some reason in what the Lord Advocate has said; and I would point out that the Bill already deals with this question in regard to burghs of a certain size, many of which would be glad to be thrown into the counties, but would be sorry to have the interference of the counties in these matters, unless the counties bore their fair share of the expense.

*MR. HOZIER: In view of the appointment of a Minister of Agriculture, and after what has been said by the Lord Advocate and others, I ask leave to withdraw my Amendment.

Motion, by leave, withdrawn.

MR. J. C. BOLTON (Stirling): I have now to move the clause which stands on the Paper in my name. I understand that the last payment of the grant in aid will take place in November next, and that the first payment from the share of the Probate Duty and licenses coming to Scotland will not occur until after the termination of the year ending March 31, 1891. I am not sure whether the Secretary for Scotland should not be the person indicated as charged with the duty here imposed instead of the Commissioners of Inland Revenue; but I hope the clause will not be refused by the Lord Advocate on that ground.

New Clause (Local Taxation, Licenses, and Probate Duty Payments.)—(*Mr. Bolton*.)—brought up, and read the first time.

Question proposed, "That the Clause be read a second time."

MR. J. P. B. ROBERTSON: I would point out to the hon. Gentleman that, as it seems to me, there is no need for this clause. I ought, perhaps, first of all to remind the hon. Member that I undertook on a previous occasion that the question of the provision of the necessary funds should be considered, and that is now being done; and whatever course may be taken with regard to the local distribution of the money, the difficulty which has occurred in England will not occur in Scotland, where it fortunately happens that the bulk of the License Duties are payable in May, so that about that time the authorities would be in a position to make the required payments. The County Councils' financial year begins on the 15th May, and consequently they would be in funds in due time.

*MR. J. B. BALFOUR (Clackmannan): Can the right hon. Gentleman state what proportion of the money comes in in May?

MR. J. P. B. ROBERTSON: I cannot give the precise amount; but the proportion of the License Duties paid in Scotland in May is very large—so large that there can be no deficit in regard to these funds.

MR. J. MACDONALD CAMERON (Wick): I can confirm what the Lord Advocate has stated—namely, that the bulk of the License Duties are paid in May; and the hon. Member for Stirlingshire may, therefore, be satisfied that the County Councils will have sufficient funds to meet all requirements.

MR. J. C. BOLTON: The explanation of the Lord Advocate is quite satisfactory as far as it goes; but I would point out that there is nothing in the Bill requiring the payment of the money. Take the Probate Duty: I do not see how a division is to be made until the total amount to be divided is known; and the same remark may apply to the License Duties. I think there ought to be some provision in the Bill authorizing the payment. If the Lord Advocate includes some such provision I shall be satisfied.

THE SECRETARY TO THE TREASURY (MR. JACKSON, Leeds, N.): That question was carefully considered, and it was deemed unnecessary to insert

any provision in regard to it in this Bill. The Treasury will have power to make payment in round sums from time to time, and I believe the money will be given earlier than if this clause were passed. Payments may be made in June, November, January, and February.

MR. BOLTON: That being so, I beg to withdraw the clause.

Motion, by leave, withdrawn.

MR. CALDWELL (Glasgow, St. Rollox): The new clause which I am about to propose is one of the new clauses brought forward on behalf of Lanark and Renfrew with a view to preserving their *status quo*. I quite understand it is the intention of the Government that nothing shall be done in this Bill which will, in the slightest degree, prejudice the consideration of the question of the extension of the boundaries of the City of Glasgow, which will be brought on again next Session. The Lord Advocate has already consented to a clause which deals automatically with the representation of these particular districts, and I think it desirable that the financial arrangements should be dealt with as proposed in my new clause. I desire that this boundary question shall not be prejudged in any way; but simply to secure that the money applicable to the territory in dispute shall remain in the control of the Secretary for Scotland until the whole question has been decided by Parliament.

New Clause (Payments to Lanark and Renfrew.)—(*Mr. Caldwell*)—brought up, and read the first time.

Question proposed, "That the Clause be read a second time."

MR. J. P. B. ROBERTSON: It is hardly necessary for me to say that I cannot accept this Amendment. The proposal of the hon. Member would tie up until some future period—until, in fact, the settlement of the dispute as to the boundaries of Glasgow—a considerable sum of money. I may, however, say, for the information of hon. Members opposite, that we propose to accept a general saving clause—not naming Glasgow or any other place—providing that nothing in the Bill shall prejudice any application made in any part of the country for any extension of boundaries,

nor shall it prejudice the answer made to such application.

SIR G. TREVELYAN: I think the last object of Glasgow would be to deprive any neighbouring county of the advantages of self-government. I think the course suggested by the Lord Advocate is reasonable and sufficient to meet the demands of the Glasgow Corporation.

Motion, by leave, withdrawn.

*MR. CUNINGHAME GRAHAM (Lanark, N.W.): In rising to propose the clause which stands in my name, I do not intend to go into the whole question of the payment of Municipal Councillors, because it involves the same principle as the payment of Members of this House. But I wish to say a few words on this subject, and to explain that my reason for bringing this clause forward is that I desire to provide for the expenses of those who will take part in the County Government of the future. I presume that the Government have introduced this Bill in deference to a popular wish, and in order to place County Administration on a more popular basis; and it seems to me it would be impossible to secure real popular representation unless some small salary were provided to meet the expenses which would be incurred by such working men as may happen to be elected in the County Councils. The proposition contained in my clause is that a day's salary shall be granted, together with travelling expenses. I think that that is a moderate proposal. It would not place a large burden on the rates, while it would meet a popular want. I am not often fond of precedent; but in this House it is sometimes necessary to have precedents, in order, I suppose, to strengthen the back sinews of the knees of the weaker brethren. There is a precedent in regard to this clause. The Lord Advocate will correct me if I am not right in stating that for a considerable time in Scotland men who are required to serve on juries have been allowed to claim their expenses for the day.

MR. J. P. B. ROBERTSON: In Civil cases.

*MR. CUNINGHAME GRAHAM: Then we have this precedent—that men required to serve in Civil cases are allowed to claim their day's expenses.

MR. J. P. B. ROBERTSON: Yes; ten shillings a day.

*MR. CUNINGHAME GRAHAM: That, then, I quote as a precedent in favour of my proposition. I know it is considered by Members of this House that the payment of members of Municipal Authorities for their services involves a principle which is not generally acceptable. But there are certain instances I will bring shortly before the attention of hon. Members which I think may weigh in some degree with the Members of the Committee. We have two or three Members sent specially to this House to represent the Trades Unions, and their maintenance here costs an undue and unfair tax upon members of their particular trade. Now, I wish to interest the working classes in the Municipal Administration of Scotland, but I do not think it right, if working men are found willing to take their part in this work, that the trades to which they belong should be called upon to support them. In the London County Council there is a working class representative who was elected by the citizens of Battersea—I mean Mr. John Burns—who has had to be paid by his fellow working men, although it is admitted that he has proved one of the most useful members of the Council, and has rendered very valuable service. I presume it is hoped that in Scotland working men will find seats on the County Councils; and in order that no difficulty shall be placed in the way of the attainment of that end, I venture to move the clause which stands in my name.

New Clause (Payment of travelling expenses of members of County Councils,) — (*Mr. Cuninghame Graham*), — brought up, and read the first time.

Question proposed, "That the Clause be read a second time."

MR. J. P. B. ROBERTSON: I admit that the hon. Member has advanced his argument with great moderation and clearness; but the Government cannot entertain his proposal, neither do I think that the precedents he has quoted are in any way germane to the present proposal. I hope the Committee will not be drawn into the discussion of subjects of this kind. The question of whether we should give remuneration to persons for the discharge of public duties is a general one which cannot be

raised now, and it ought not to be decided on without mature consideration.

*MR. CAMPBELL-BANNERMAN: I agree with the Lord Advocate in so far as the actual payment for attendance in the discharge of public duties is concerned, but I think that there is something in the question of travelling expenses. This point was considered last year when the House was engaged in the discussion of the English Bill; but we have from the first declined to be bound by that precedent. It may happen that suitable persons for election on the County Councils may live a considerable distance from the county town, and it therefore seems to me desirable that their necessary travelling expenses should be paid. I do not see how that practice could be abused to any large extent, while it would undoubtedly have the effect of enlarging the choice of the electorate, and not in the least degree prejudice the larger question which, I quite agree with the Lord Advocate, we could hardly touch on this occasion—namely, the general question whether for public services rendered direct remuneration should be given. If my hon. Friend will eliminate from his clause the proposal to pay a day's wages, and confine his proposal to the payment of reasonable and necessary travelling expenses, I shall be ready to support him.

*MR. C. GRAHAM: I will certainly modify my proposal, and beg therefore to ask leave to withdraw my clause in order to submit the modified proposal.

Clause, by leave, withdrawn.

New Clause,

"Members attending County Council meetings or attending Committee meetings, or performing duties in connection with the Council, shall be entitled to claim reasonable travelling expenses," — (*Mr. Cuninghame Graham*), — read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

DR. CLARK: Are we to understand that the Government are as much opposed to the payment of travelling expenses as of salary, and are not prepared to compromise the question? This point would not, of course, arise in connection with burgh administration; but when a man has to travel 50, 60, or

80 miles—partly by rail, partly by steamer, and partly by road—I think, unless you make some provision for the payment of expenses, you will seriously limit the choice of many districts in their representatives. If you intend that the County Councils shall be composed of the best men in the county, irrespective of social position, the only way to secure that will be to pay their travelling expenses; because a charge of, say, £1 per journey would prove a serious tax upon the smaller class of farmers who may be expected to act as the representatives of rural districts, especially in the Highlands. I hope that the Lord Advocate will look at this matter altogether apart from the general question of the payment of Members, for unless some such concession as this is made we shall have the rural districts represented solely by urban residents. I hope the Government, therefore, will reconsider their decision, and at any rate make provision for long and costly journeys.

SIR GEORGE CAMPBELL: I, too, hope that the Government will give way. Take the case of the burghs I represent. They will have to send representatives to the County Councils, and as they will have to travel a considerable distance to the county town, and unfortunately the burghs are served by a monopolist railway which charges heavy fares, the travelling expenses will be a severe tax on the representatives selected. The smaller burghs will, no doubt, be insufficiently represented on the County Councils unless the Government acquiesce in this moderate proposal.

DR. McDONALD (Ross and Cromarty): Unless the Government give way on this point we in the Highlands will be practically unrepresented on the County Councils. In my county, representatives, if chosen, will have to travel by sea and land, by boat, by railway, and by coach, and sometimes on foot, a distance of 100 or 120 miles. How can it be expected a poor man will go that distance and pay his own expenses, when the Government are giving so little work to the County Councils? The result will, in fact, be that the outlying districts will be unrepresented. The representative of the Island of Lewis will have to spend a couple of days in travelling in order to attend the County

Council meetings, and is it to be expected anyone will do that unless the out of pocket expenses are paid? I think the Government will be doing a serious injustice to the people of the West Highlands, where distances are so great and locomotion so difficult and so expensive, if they reject this Amendment.

MR. J. P. B. ROBERTSON: I thoroughly sympathize with the object of the clause; but I do not see how any means of paying the travelling expenses of County Councillors can be adopted without recognizing a principle which Parliament has not yet sanctioned. I should be glad to find it possible to devise some way of preventing cases of unusual hardship; but any such means must be carefully safeguarded from forming a precedent in the matter.

*MR. ESSLEMONT (Aberdeen): In the case of the county I represent, it will be necessary for some of the members of the County Council to travel 50 or 60 miles. I think the proposal embodied in the Amendment is a very reasonable one. The Lord Advocate says it introduces a new principle; but he must remember that we are introducing into Scotland for the first time Municipal Government in the counties. Scotch counties are exceptionally situated; in some districts the population is very sparse; and I am quite satisfied that the people of Scotland would be willing to pay reasonable travelling expenses for those who attend the meetings of the County Council. I admit that the question of also allowing a day's wages would be fraught with considerable difficulty, but that has now been withdrawn; and I hope the Government will take a wider view of the clause as it has been modified, for I believe the principle involved will prove as acceptable in the Lowlands as in the Highlands.

DR. CAMERON (Glasgow, College): I may point out that the principle has already been adopted in some of the Scotch burghs, as the Glasgow Corporation maintain two or three carriages to take the baillies from their houses to their municipal duties. I believe also that in the junketting the Town Councils take when inspecting waterworks and lighthouses, in addition to reasonable travelling expenses, substantial refreshments are provided.

MR. FRASER-MACKINTOSH (Invernesshire): I have listened to the re-

marks of the Lord Advocate with considerable interest. I would ask the Government to specially consider the case of the county I represent, and also the County of Ross. I am sure they wish the crofters to be represented on the County Councils; but it will not be possible unless their travelling expenses are paid.

*MR. ASQUITH (Fife, East): I trust that the Committee will not be satisfied with the somewhat vague assurances given by the Lord Advocate. On this occasion the right hon. Gentleman has failed to grapple with the practical difficulty laid before him, so afraid is he lest the House should furtively recognise a principle which may have a wider application in the future. I am not at all afraid of wider applications of the principle contained in the Amendment; and, whether or not the clause is accepted, I hope the principle will be heard of again on a much larger scale. For the purposes of this discussion it is sufficient that we should confine our attention to the special difficulties peculiar to local circumstances in Scotland. These can be dealt with on their own merits without regard to the wider application of the principle. It has been pointed out by one of my hon. Friends that you are establishing an entirely new kind of representative body, altogether differing from the Councils which exist in boroughs—a body which will represent a very wide area, between extreme portions of which and the centre there are often imperfectly developed means of communication. Now, if a body of that kind is to be really representative and to perform its duties to the satisfaction of the constituencies and of public opinion, the Government must make some provision for the practical difficulties which are peculiar not only to the Highlands, but more or less to the whole of Scotland. Otherwise these County Councils will not be representative in the best sense of the word, because either a large number of people will be artificially excluded from sitting upon them, or their management will fall into the hands of cliques and committees. I certainly think this moderate proposal will commend itself to the vast majority of Scotch Members, and I therefore trust that the Government will reconsider their decision.

Mr. Fraser-Mackintosh

DR. MACDONALD: In the Highlands some County Councillors will have to travel very long distances to attend the meetings of the Council. Some, indeed, will have to be away from home for days. Surely it is not reasonable to ask men to do this for nothing.

MR. A. SUTHERLAND (Sutherland): I desire to support what has been advanced in favour of this Amendment. The improved system of Local Government provided by this measure will practically be of no avail unless this Amendment is carried. Owing to the great distances which County Councillors will have to travel the people will be entirely excluded from representation. I hope the Government will see their way to accede to the Amendment, because its acceptance is of vital importance to many parts of Scotland.

MR. MACDONALD CAMERON: I beg to support the Amendment of my hon. Friend. It seems to me the Lord Advocate desires to give way, if he can; but he does not like the wide application of this principle. Will the right hon. and learned Gentleman agree to the principle being applicable to the crofter counties? [*Opposition Cries of "No!"*] I am speaking in the interest of the Highland counties. If you can get the wider issue I should be glad to support you; but if you cannot, let us have the narrow issue.

*MR. LYELL (Orkney and Shetland): As the Representative of an Island constituency, I am happy to support all that has been urged in favour of some remuneration being given to members of County Councils attending meetings. Under the provisions of the Supplementary Bill a very considerable quorum is required. Unless some remuneration is given the result may often be that a quorum will not be obtained, and that those who do attend the meetings will have to go away, leaving the business of the county undone. Gentlemen will not willingly undertake a long journey unless they feel reasonably certain that a quorum will attend, and that satisfactory business will be done. I hope the Lord Advocate will see his way to accede to the Amendment.

MR. R. T. REID (Dumfries, &c.): I desire to say a few words with regard to the insidious proposal which comes from my hon. Friend

(Mr. Macdonald Cameron) who is a Highland Member. One is disposed to be conciliatory to the Highlanders, but I do not think we ought to allow the Lowlanders to be thrown over for the purpose of giving special advantage to the Highlanders. What is good for the Highlands is good for the Lowlands. It must be remembered that there is a large number of counties in the Lowlands where long distances will have to be travelled. This is so in Dumfries, for instance. There are many parts of that county in which there is no adequate railway communication, and in which considerable distances have to be covered by road. Under these circumstances it is that I hope there will be no attempt to separate the Highlands and Lowlands; but that we shall all stand shoulder to shoulder, for the purpose of seeing whether we cannot get this advantage at the hands of the Government.

MR. WALLACE (Edinburgh, East): I join with my hon. Colleagues in pressing the desirability of the Government assenting to this Amendment. The Lord Advocate seems to fear that the principle advocated will spread to other regions than those in question, but the proposition is simply to pay the travelling expenses of members of County Councils going to and from meetings. The right hon. and learned Gentleman is alarmed lest such a concession would lead in the direction of the principle of the payment of members for their services. The two things are totally different. In the one case the proposal is to pay members for the services which they render to the community; but surely it is a totally different matter to make a payment that shall make it possible for members to render services to the community. That is all that is proposed by this Amendment.

MR. CALDWELL: I have nothing to add to the arguments on the general question; but I must point out that in any case special provision should be made for the Highland counties. Parliament has admitted that there is exceptional distress in the Highlands. Surely there would be nothing inconsistent in accepting this Amendment so far as the Highlands are concerned. It must be borne in mind that there is hardly a single railway in the Highland

counties, and that therefore County Councillors will be put to much greater expense and trouble in attending meeting of the Council than their fellows in the Lowlands.

*MR. BARCLAY: If the proposal is somewhat novel the circumstances are also novel. The case of Town Councils cannot possibly be regarded as a precedent. In the first place Town Councillors live in the burgh, and certain of their expenses are paid out of the Commonhood. It is of very great importance that all the outlying districts of counties should be represented on the Council; but this will not be possible unless some such an Amendment as this is adopted.

MR. M'LAGAN (Linlithgow): I would suggest that all those who have to travel beyond a certain distance should be entitled to have their expenses paid—say 20 miles.

DR. CLARK: I trust the Lord Advocate will, in any event, allow the clause to be read a second time, so that whatever modifications may be deemed desirable may be inserted in it.

The Committee divided:—Ayes 105; Noes 188.—(Div. List, No. 207.)

MR. MACDONALD CAMERON: I beg to move to report Progress, not for the purpose of delaying the discussion of the Bill, but simply for the purpose of directing the attention of the Lord Advocate to the votes of Scotch Members in the Division just taken. It appears from calculations private Members have made that 42 Scotch Members voted for the clause and only 10 against it. I shall certainly bring the subject up again on Report, and I trust that between now and then the Lord Advocate will consider whether he cannot concede the point we have contended for for the Highland counties if he cannot for the whole of Scotland.

MR. MUNRO FERGUSON (Leith, &c.): The importance of the question which is raised by the clauses I have placed on the Table is so great, and it is so thoroughly understood in the country, that my remarks need bear no proportion to the length of the clauses. There is no question upon which the people of Scotland have given their opinion with greater clearness than upon the subject of taking up land, if necessary by com-

pulsion, for the public good. In my clauses I believe will be found the kernel of land law reform—namely, that the authorities created by this Bill should have the power where necessary to check careless or mischievous use of land, and to secure the full development of industry and agriculture. I quite recognize it may be held that the owners of property should be left in peaceable enjoyment of their rights, and free from vexatious interference, and that it would not be wise, perhaps, at the outset, that our local Councils should plunge into great schemes of land speculation without any supervision whatever. I look more to the cultivation of the soil by a system of individualism, than by a system of co-operation; but I believe the County Authorities may be trusted in most cases to use such rights as I propose should be conferred upon them with discretion. I believe that legislation of this character will give a stimulus to careless or incompetent landlords to recognize the duties and responsibilities which attach to the ownership of land. There is the question of feus for building and industrial purposes, and I could give many instances in which such feus have been refused by landowners in fishing villages and localities where such facilities are necessary for the due development of local industry. If this question were dealt with in this Bill, it would lead to some system of cheap registration of title. Taking an existing rent at half-a-crown a year, a feu for permanent tenure might be obtained for £5; such a reform is possible. Then as regards gardens and small holdings, these have not been developed as they ought to have been under the present land system. It is impossible for an extensive system of small holdings to be created where the cultivation of land is carried on under landlord and tenant, because the expenditure upon permanent buildings and other improvements is so great, that it becomes almost impossible for the landlord to equip a large number of small holdings; but there is no doubt that anything that would increase the number of small holdings would be a benefit to agriculture and an improvement of our social system. At present there is not a sufficient admixture of small holdings in Scotland. I may refer to the Highlands and show that something more extended is possible,

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and has been done there for the creation of small holdings, and therefore the Government might well accept my clause. Under the Crofters Act there was introduced a system of compulsory leases in the Highlands, and that means that by the Land Court land may be taken at a compulsory rent from the nominal owners, the right to the occupation of which had been previously refused. If this system were carried out without restriction, it would lead to the abolition of private proprietorship in land. With restrictions it has been shown to be unworkable, and the difficulties have been proved to exist, and hence the passing of the Crofters Act. It is evident that some safer plan, some other alternative must be discovered, for meeting this Highland land difficulty, or a Land Act must be introduced next Session, and that I think is not an object Her Majesty's present advisers have in view. The result of compulsory leasing means possibly the loss of capital value. Under a system of expropriation the capital value of the land is reserved; therefore, having accepted this principle of leasing in the Highlands, I cannot see why Her Majesty's Government should not appreciate from their point of view the principle contained in expropriation. I have spoken of the difficulties of feuing, and in regard to this there are special considerations in the Highlands. I do not agree always with some of the representations made of the enormous extent of land available for cultivation and lying waste in the Highlands, but I do know cases where land is lying waste and where it is desirable in the interest of the community to check scandals of this character by reserved powers, which would not come into operation unless the proprietor declined to avail himself of the opportunity of doing the right thing, and in that case there would be the remedy securely safeguarded. It would form a far-reaching security for the rights of property and for rights not less important, the rights of the people. I would ask the Government to think twice before they reject my proposal, because if the question is approached by them in the same spirit as that in which they dealt with the proposal of my right hon. Friend the Member for Edinburgh, in regard to rights of way, I warn them they are fostering bad times for land-

owners whose interests they imagine they are securing.

Another New Clause (County Council to have power to take land,)—(*Mr. Munro Ferguson*.)—brought up, and read the first time.

Motion made, and Question put, "That the Clause be read a second time."

MR. J. P. B. ROBERTSON: The hon. Gentleman has introduced a very large and important subject in this clause by which he proposes to impose a still further duty on County Councils. I desire at the outset to say that I approach the consideration of this question in a completely friendly spirit, and the observations I shall have to make will show the Committee we are prepared to deal with the matter in a practical way. But, in the first place, I desire to limit our proposition to that which I think is attainable, and not entering upon the wide programme of the hon. Member for Leith. He proposes that the County Councils shall deal with cases where there is a desire for land for building purposes or for the development of any lawful trade or industry, or for allotments or small holdings. Now, as regards buildings, I cannot say that I think it is possible the Committee would authorize County Councils to acquire land for what is really a speculative purpose; and, in the second place, I greatly doubt whether, in limiting the power to the developing of any lawful trade or industry, you are not entering the region of speculation, and assigning an anomalous and heterogeneous duty to the County Council. Then I take the question of small holdings, and I do not think the Committee will be disposed to take up that question in this incidental way, a question that has engaged the attention of Parliament, and is now the subject of consideration by a Committee upstairs. Accordingly, I think these are considerations that the limits of our present business forbid us to enter upon. But there remains the question of allotments, and that seems to me to stand on a more satisfactory footing. The Committee will remember that when some two years ago the subject of allotments was dealt with for England, there was apparently a concurrence of opinion among Scotch Members that it was not such a matter of

urgency for Scotland that it could not stand over for another opportunity, when the subject of Scotland should be before the House; but, at the same time, there was no disposition to declare that the subject of allotments had not a direct interest for the Scotch people, and it was thought that when the opportunity presented itself, it might be considered desirable to confer some such powers in this respect on Local Authorities as exist in England. Now, we have County Councils and District Committees to be equipped for dealing with affairs in which the district is interested, and so the Government consider that the opportunity may with advantage be taken of conferring upon County Councils or District Committees power of applying to the Secretary for Scotland for Provisional Orders for allotments. Presumably, the hon. Member for Leith has framed his clause with the desire of raising the subject, and hardly expected that it would be accepted as practically a working out of the principle. He does nothing more than say, in general terms, that land should be put into the hands of the County Council. He does not lay down the way in which the Council shall deal with it, as Parliament did in the English Act, where there are provisions for securing that the land shall reach the right hands, and for regulating the use of the land; in short, the matter was carried out in detail, both as to acquiring possession and disposing of the land. Accordingly, I do not think that this clause can very well be accepted; but I will undertake to bring in on Report a clause that shall represent the substance of what I have referred to. The matter must be worked out in detail how the land is to be applied, how the money is to be provided, on what parts of the county the rates shall fall, with just regard to the interests of those who are and those who are not concerned. With the general question of acquiring land for building and industrial purposes, I cannot undertake to deal in this necessarily incidental manner; but the question of allotments is better known and lies within a smaller compass, and to that extent I hope to meet the wishes of the hon. Member.

MR. MUNRO FERGUSON: Only one word on the subject of building. But, first, I am sure I may express the

general feeling of satisfaction with which we on this side have heard the Lord Advocate's statement. The only subject to which I will refer is that of feuing for buildings. Fishing villages will be under the jurisdiction of County Councils, and in those villages there are often the greatest difficulties in obtaining sites for dwelling houses and even land for the drying of nets. I could give a number of instances in which such powers as I propose to confer on County Councils would be exercised very appropriately by this authority, and the Lord Advocate will observe that I am ready to provide that the power should be safeguarded in every way.

*MR. BARCLAY: I must express my thanks to the right hon. Gentleman for his promise to deal with the subject of allotments. But I would press upon him to entertain the question of the Council acquiring land for building. I can assure him that such a power is very necessary around the coasts of Scotland. In one of the villages in the constituency I have the honour to represent, the overcrowding from the want of house accommodation prevails to a scandalous extent. The plots of land the fishermen require are very small, and the landlord's agents will not trouble themselves to give such small feus. It would be a great advantage if the Councils were authorized to obtain a few acres of land for the purpose, and it is hardly possible that it could do harm to anyone. I think if the Government insist on Provisional Orders being obtained, the expense would add materially to the cost of the land. Only an acre, or a couple of acres, would probably be required in a village, and the cost of a Provisional Order, however economically it were gone about, would, I suppose, be £100; and that in regard to small pieces of ground would amount to a prohibitive price. What possible risk or harm to landlords would there be if a couple of acres of their land were taken under the Lands Clauses Consolidation Act? They would get an ample price, and there would be every possible safeguard for amenities of residence, where there should happen to be such. The question of allotments is no doubt important, but not so important as obtaining land for building purposes in villages. I can understand

the objection to County Councils embarking in speculative buildings near towns; but this we propose in an entirely different matter, and within proper limits and restrictions. I do not see the necessity of a Provisional Order. I cannot see that such an authority given to County Councils would interfere with landlords' rights to any appreciable extent. If the Government would undertake the matter boldly, I am sure it might be worked out with advantage to all concerned.

MR. R. T. REID: I agree that these clauses might very well be improved, and I say so with the more reason because I myself drew up the clauses, following, so far as I could, the Allotments Act of 1887. The Lord Advocate, however, will not deny that our demand is not an extreme one, and I believe the power is amply safeguarded. So much for the form, and now for the substance. The Lord Advocate is prepared to give land for the purpose of allotments. Now, I will undertake to say that, although in some parts of Scotland allotments are no doubt wanted, the governing reason why the people are so anxious that the Councils should get land in this way is for domestic buildings and for lawful trade purposes. I will give the Committee particulars of the tenure upon which houses are built in a small town in Dumfriesshire that will rather astonish those who think that the system of feudal servitude has died out. In the town of Thornhill, with some 1,200 or 1,300 inhabitants, and between 200 and 300 houses, all the land in and near the town is owned by the Duke of Buccleuch, and every house in that town has been built and is held now upon one year's tenure of the land; and it is within the power of the Duke of Buccleuch, according to the terms of agreement upon which buildings have been erected for 40 years past—and no other land could be got for building—to take possession of every house at six months' notice on condition of paying half the value of the house. It is only fair to the Duke to say that the power is not used, but it exists. More than that, it is necessary before a transfer of any house can be made for a humble petition to be presented to the Duke for his sanction, which he may refuse if he thinks proper. Whenever a bequest is made

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on the death of an occupier, a petition has to be presented to the Duke praying him to allow the terms of the will to be carried out, and sometimes, in fact repeatedly, this permission has been refused when the Duke has thought that another relative of the deceased is more in need, or more deserving, than the person to whom the bequest is made; and in utter disregard of the bequest the house is handed over to whom the Duke thinks proper. There are conditions against sub-letting, and the taking lodgers, who may be poachers or persons obnoxious to the Duke of Buccleuch. There are about 20 crofts in the neighbourhood; the demand for them is enormous, but not one more can be obtained. No new houses are allowed. Although a railway passes the town, and it is one of the most beautiful parts of Dumfriesshire, no house has been allowed to be built for 40 years. I say advisedly that is a condition of feudal servitude. No other language is apt to describe it, and the feeling in Dumfriesshire on the subject is intense. I should be ashamed of my countrymen if it were not intense. It is not because the Duke of Buccleuch abuses his right, for in point of fact except as to his dealing with bequests as I have mentioned, the late Duke of Buccleuch was known to be an admirable landlord, and was very much respected. But here are people living under circumstances that this House ought never to suffer people to live under, dependent on the breath of one man, because he is the owner of the land. In other places in Dumfriesshire, the same state of things exist, and no one can deny my statement. Now I think the Lord Advocate can understand why Scotch burghs object to be hide-bound in this way. It is no use merely offering us allotments; that is the smallest part of our demand, though, of course, we shall act on the maxim of taking thankfully what is offered and asking for more. But I want the Lord Advocate and the Committee to appreciate the importance and gravity of the subject. We are now establishing County Councils to protect the rights and interests of localities, and it is obvious that people in such places as Thornhill will look to the County Council as the authority to interfere on their behalf, and to put reasonable facilities in their way for meeting their

pressing requirements for land at a reasonable tenure. While grateful to the Lord Advocate for his concession as regards allotments, I hope my hon. Friend will press his Motion to a division.

*MR. DONALD CRAWFORD: There is no doubt that the most important part of the clause my hon. Friend has proposed is the part relating to building. I do not at all depreciate the concession the Lord Advocate has made about allotments. I dare say allotments may be very useful in some parts of Scotland. The demand generally for allotments is not great, but I should like to see it increase. But, meantime, this is only an example of what we have too often had repeated in the course of this Bill. We are offered a particular thing, not because we want it, but because the English people have it. That is the only reason why allotments have been singled out from the powers mentioned in the clause and granted. If the Government wanted to give Scotland what is most useful and yet were disposed to narrow the concession to the utmost limit, they would have singled out and granted the building powers. My hon. and learned Friend has given a striking illustration from Dumfries showing the necessity of such a provision as this, and I should like to mention an instance from the County of Lanark, the small town of Motherwell—not very small either, some 18,000 or 20,000 inhabitants—and a rising town. A great part of the land around the town belongs to two landowners. In the direction in which the town is extending and the best part of the town the land is the property of the Duke of Hamilton. Land is given for feuing on condition that houses of a certain value and appearance are erected in order to furnish security for the feu duties, and that is quite usual and proper; but there is one condition added. This is a coal and mineral district, and the Duke reserves the right to withdraw coal under the foundations of the house, and if the house is demolished or damaged thereby the builder of the house is to have no recompense or compensation. This is the only condition upon which land can be got in that part of the country, and, as may be supposed, this condition excites the utmost indignation among the townspeople; and I think

the Committee will agree it is a condition wholly inconsistent with the duty of a landlord. I believe we have a remedy in this Amendment in giving the Council power to acquire land compulsorily when it is necessary, and according to the scope of the Bill it would come within the jurisdiction of the County Council. It is because of instances such as have been given that there is this earnest and growing desire that Local Authorities should have the power of acquiring land compulsorily.

*MR. ESSLEMONT: There are hundreds of fishing villages around our coasts under similar difficulties; and I have frequently brought such under the notice of the Secretary for Scotland. There are hundreds of cases in my county where fishermen have built their own houses, and pay large sums comparatively for the feu, and yet have no security of tenure, the landlords can take possession at a year's notice. On the merest scraps of land, they have been obliged to erect houses that are in a shameful unsanitary state. Now, I submit that to ask individual fishermen to come for Provisional Orders is out of the question; but I hope the Lord Advocate will, on consideration, see that the County Council could exercise authority in this matter, meeting all requirements, without great expense. I should be the last to advise, and I never have suggested that land should be taken without every reasonable compensation to the owners. I am willing that they should get five times as much as they would get under ordinary circumstances of sale. I express my gratitude to the Lord Advocate for the concession he has made, but still I ask him cannot he give his serious attention to those cases which are very numerous, more especially in connection with the fishing industry, with a view to seeing that a man may have the means of getting a reasonable tenure of his dwelling without great expense. These houses cost from £50 or £80 to £150, not large sums but large to the people who build them, and they are deprived of the credit the property ought to give them because the house, in the absence of feu terms of tenure, is practically the property of the landlord.

MR. COCHRANE-BAILLIE (St. Pancras, North): We have heard two instances of what may be con-

Mr. Donald Crawford

sidered an unjust system of tenure, and whether the Lord Advocate can see his way to a clause dealing with such cases as those of Thornhill and elsewhere I do not know. But I would ask him not to go beyond that and give powers to the County Council for the acquisition of land for the development of a district, because you will at once have the danger of the authorities plunging into wild land speculations, and that is by no means an essential or desirable policy for County Councils to embark upon. On that point I hope the Lord Advocate will not give way, but if he thinks fit to meet such instances of peculiar tenure as that at Thornhill and the difficulties of the fishing villages I see no objection.

MR. DUFF (Banffshire): The Committee will have observed that there has been no opposition to the clause of the hon. Member for Leith from Scotch Members, and I am glad that the hon. Member for St. Pancras (Mr. Cochrane-Baillie) has only partially opposed it. I quite concur in the remarks of the hon. Member for East Aberdeen as to the case of fishing villages on the east coast. In my own constituency there are numerous instances in which fishermen have built their houses upon land upon which they have no sort of tenure. This matter was dealt with in the Report of the Fishery Board for 1884, and a suggestion was made for giving feus by a cheap and easy process. I asked the late Lord Advocate to give effect to the recommendation and he replied that the matter might be dealt with in the coming Local Government Bill. I would ask the present Lord Advocate to say that he will consider the question in connection with his proposed new clause.

MR. J. P. B. ROBERTSON: I would remind the Committee of the specific question before us. The case of the hon. Member for Banff and others is not a case where it is desired to obtain land for purposes for which they cannot get land, but a case in which persons already in possession desire a better title. This is, it must be observed, a distinct question, and I cannot see that it is possible to deal with it in the Bill. I greatly doubt whether, while empowering County Councils to acquire land for allotments, the Committee will agree at the same time to give the Councils power to ob-

tain titles for those which already have land. While I have very great sympathy with these persons in the position of those whose cases have been cited, my point is this, they have either a legal right in the property they hold or they have not. If they have, as I should suppose and hope they have by agreement between owner and occupier, certain rights of property, what do you want the County Council to do? Do you want the County Council to turn men who are not proprietors into proprietors? How can you do it except by furnishing them with a title? Now, that seems to me an entirely different chapter of legislation. I do not pre-judge the question as regards people for whom I have a great deal of sympathy in their peculiarly difficult position; but we are here with a Local Government Bill, and is it reasonable that we should analyse the land tenure of Scotland as the hon. and learned Member for Dumfries has? He cited the instance of Thornhill as a tenure of land that ought not to be tolerated, and as a scandal.

MR. R. T. REID: Will the right hon. Gentleman allow me to say, I instanced that as evidence of the evils that result from the inability to get land. It is an instance showing why we should comply with the popular desire, that people require land and cannot get it.

MR. J. P. B. ROBERTSON: Yes, but the whole of this shows that it is a question of land tenure which cannot, I think, be dealt with in this hap-hazard way. I trust the Committee will exercise due reserve and caution on a subject that has incidentally come across our view; and in considering a Local Government Bill, will not be too rash to pronounce upon the subject. I will only say that we, in dealing with allotments, enter upon a subject to which Parliament has recently devoted attention; but we cannot touch those other matters that require most careful consideration, and do not naturally arise upon this Bill.

MR. ESSLEMONT: One word of explanation. May I ask the Lord Advocate to give attention to the subject of those people who have not the land he speaks of, and cannot get it? We want some machinery in the Bill by which the County Councils can get land

at a fair price. What is contended is, that these people have no tenure; that the land belongs to the landlord. What we want is an expeditious and reasonable way by which the authority can obtain the land, in order that they may get a title for possession.

MR. FINLAY (Inverness, &c.): I am sure the Committee is sensible of the fair way in which the proposal has been made, and all must agree that the clause deals with a subject of great necessity. Of course any argument that goes to show that the County Council should be vested with powers to build, would also go to show that they should also be vested with powers to acquire land on which houses are built in order to give a good title. I hope the Government will go as far as practicable in this direction. At the same time we must be sensible of the difficulties and complexities of the subject. One other word I desire to say. I think there are many other proposals of public utility, not mentioned in the clause of the hon. Member for Leith. There are many proposals for which it would be right the County Councils should take or hold land. If anything can be done in this direction I should be glad to see general words inserted in the Bill which would empower the County Councils to acquire land for purposes of general utility, and I hope that the Government will go as far as possible in the matter.

MR. ASHER (Elgin, &c.): I hope the Lord Advocate on further consideration may see his way not to lose the present opportunity of doing something to remedy this great grievance in some parts of Scotland. Over a great part of the East Coast an immense number of fishermen at the present moment occupy houses on the most unsatisfactory tenure. They have built their houses upon sites to which they have no title whatever. Now, I think that that fact by itself shows that there is something grievously wrong, either that they are not able to get land for the purpose from the landlords, or it shows that the expense of completing a title is so great as to deter people from the expense of getting a proper title, and they prefer the risk of building with no title at all. The Lord Advocate has an opportunity of going a long way towards putting the matter right. I quite appreciate the objection to giving the authorities

THE CHAIRMAN: I think the hon. Member is referring to the first Amendment. That has now been passed over.

MR. BUCHANAN (Edinburgh, W.): The question which my hon. Friend refers to arises partly on this Amendment, which relates to the time of the election after the first election. Mid-winter would be an exceedingly inconvenient time for the County Council elections to be held, and particularly in the Highlands, where the electors often have to make long journeys in order to record their votes. I shall be inclined to support any proposal that may be made for holding the elections at a more sensible time of the year.

***MR. BARCLAY:** I move to leave out "December" in order to insert "November." There is in my constituency a strong feeling that the month of December would be very unsuitable for the election, and particularly for those who enjoy the service franchise. I do not see why the county elections should not take place at the same time as those in the towns, and I think the first Tuesday in November would be much more satisfactory than the date proposed.

Amendment proposed to the proposed Amendment to leave out "December" in order to insert "November."

Question proposed, "That the word 'December' stand part of the proposed Amendment."

DR. CLARK: I hope the Government will accept this Amendment. I happened many years ago to be elected on a Tuesday in December, and the result was that we had to wait for three days to get the ballot-boxes in on account of a snowstorm, and it was impossible for a number of voters to get to the mainland to record their votes. In many burghs men had to be imported to act as polling clerks, and if the county elections took place about the same time these people could be utilized with very little increased cost to the county.

MR. J. P. B. ROBERTSON: This, of course, is entirely a matter of convenience and detail, but I am afraid that November would be too early for the election. One of course sees that the further we get into winter the less convenient the election will be. But the Parliamentary roll is just ready by the 1st of November. Now, in burghs, where the roll is

always accessible, the election can take place at once. But you have to consider the case of the more scattered counties, and I do not think you could have the election before December, as the roll is not ready until November. There is another matter to consider. By an Amendment proposed by the hon. Member for Forfarshire (Mr. Barclay), the Town Councils are to elect their representatives to the County Councils. It is quite clear that it must be the fresh Town Council that should elect, and the fresh Town Council is not itself appointed until November.

***MR. BARCLAY:** I wish to point out that under the Bill as now worded, there will be in police burghs two separate elections, one for Police Commissioners in November, and another for County Councils in December. The difficulty which the right hon. and learned Gentleman has just suggested is not a serious one, because the Amendment I proposed, and which was agreed to, was that the County Councillors should be elected in burghs at the first meeting of the new Town Council.

MR. FIRTH (Dundee): I should like to say that in the interests of uniformity, as both the municipal and County Council elections in England and the municipal elections in Scotland are in November, I think it will be well to make the County Council elections in Scotland in the same month, but later in that month.

MR. CALDWELL: The roll ought to be ready in all parts of the county on the third Tuesday in November, and that would get rid of the difficulty that would otherwise be caused by farm labourers removing on the 26th of November.

***MR. BARCLAY:** I hope the right hon. and learned Lord Advocate will consider the question before Report, and if so I will withdraw my Amendment.

MR. J. P. B. ROBERTSON: I cannot undertake to reopen the question of County Councillors being elected by police burghs, because it was very fully considered by the Committee, but we will see if we can do anything to meet the views of hon. Gentlemen with regard to the date.

Question put, and agreed to.

Other Amendments made.

Clause, as amended, agreed to.

Clause 2.

On the Motion of Mr. J. P. B. ROBERTSON the following Amendments were agreed to:—In page 3, line 1, leave out "in," and insert "for;" page 31 lines 4 and 5, leave out "County Council," and insert "returning officer;" page 3, line 5, after "appoint," add—

"Provided that, if the returning officer shall so determine, the county electors for two or more electoral divisions may, by public notice timeously given, be directed to poll at the same polling place, and such place shall be conveniently situated for the majority of such county electors."

Clause, as amended, agreed to.

Clause 3.

SIR G. CAMPBELL: I wish to ask the Lord Advocate whether the proposal to omit this clause will not cause some obscurity in connection with Clause 4. I wish to know whether the Town Council at large will elect the County Councillors, or whether as, in the case of the School Board, it will be one or more votes for one man?

MR. J. P. B. ROBERTSON: The point is worth considering, whether there should be as many votes as candidates.

Clause agreed to.

Clause 4 agreed to.

Clause 5.

MR. J. P. B. ROBERTSON moved, Clause 5, page 4, line 10, before "or," insert "non-acceptance of office."

Question proposed, "That those words be there inserted."

*MR. CAMPBELL-BANNERMAN: Is it not desirable to make some definition as to the time in which an elected Member should accept?

MR. J. P. B. ROBERTSON: I think that is provided for by a subsequent clause.

*MR. FIRTH: When such an election takes place under the Bill of last year, no vacancy is to be filled up within six months of the triennial election.

Question put, and agreed to.

*MR. BARCLAY: The Amendment which I now move is to provide that in the event of a vacancy, the election to fill the vacancy shall be by the Council of
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the burgh and not by the County Council.

Amendment proposed, page 10, after "disqualification," insert "of a Councillor not being a Councillor elected by a burgh or police burgh."

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: I cannot see that the point is one of great importance. The reason for filling up a vacancy by co-optation is to avoid the expense of such election. I am, however, quite ready to concede the Amendment.

Question put, and agreed to.

*MR. SHIRESS WILL (Montrose, &c.): I only wish to know, in moving this Amendment in my name, whether the Lord Advocate will reconsider the matter to which it refers? I move formally.

Motion made, Clause 5, page 4, line 10, leave out "the County Council," and insert—

"election; and such election shall be held by the same persons and in the same manner as an election to fill an ordinary vacancy, and the person elected shall hold the office until the time when the person in whose place he is elected would regularly have gone out of office, and he shall then go out of office."

Question proposed, "That the words 'the County Council' stand part of the Clause."

MR. J. P. B. ROBERTSON: I hope the hon. Gentleman will not press this proposal, as I am unable to assent to it.

*MR. SHIRESS WILL: I do not propose, under the circumstances, to press the Amendment.

Amendment, by leave, withdrawn.

Motion made, Clause 5, page 4, line 13, leave out after "county," to end of Clause.—(*The Lord Advocate.*)—Agreed to.

Motion made, Clause 5, page 4, line 13, after "occurred," add—

"and shall remain in office so long only as the person in whose room he was appointed would have remained in office."—(*Mr. Hozier.*)

Amendment agreed to.

Clause, as amended, agreed to.

Clauses 6, 7, and 8 agreed to.

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Clause 9.

Amendment proposed, page 5, line 16, leave out "but," and insert—

"Provided that any district for the purposes of maintaining and managing highways shall also be a district for the purpose of the administration of the laws relating to public health, and."—(*The Lord Advocate.*)

Amendment agreed to.

Amendment proposed, page 5, line 38, after "burgh," insert—

"And shall be held to have contained according to the census of 1881 a population of more than 7,000."—(*Mr. Hozier.*)

MR. J. P. B. ROBERTSON: I hope the hon. Gentleman will not press this Amendment, which I do not think at all necessary, as the matter is dealt with in a special clause.

*MR. HOZIER: That being so, I ask leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 10 agreed to.

Clause 11.

The following Amendments were agreed to:—Clause 11, page 6, line 14, leave out "a county," and insert "from and after the passing of this Act, counties and burghs;" lines 14 and 15, leave out "it has at the passing of this Act," and insert—

"They respectively have, or in the case of counties still subject to local Acts of Parliament regulating highways will have, after the appointed day:"

Lines 15 and 16, leave out "County General Assessment (Scotland) Act, 1868," and insert "'Roads and Bridges (Scotland) Act, 1878;'" Amendment proposed, line 20, before "boundary," insert—

"Sheriff in the year one thousand eight hundred and eighty-nine, and thereafter the."—(*The Lord Advocate.*)

Question proposed, "That those words be there inserted."

*MR. D. CRAWFORD: This is a question of which it may truly be said that it is in no sense a Party question, and I am confident if the Government see their way to accept my suggestion they will do so. From information which has reached me from various quarters I am fully persuaded that the creation of expensive machinery to deal with the boundary question is totally

unnecessary. I think the duty may very well be entrusted for future years—just as it is proposed for the first year—to the Sheriff. There is one consideration to which I should like to draw the attention of the Lord Advocate, and that is as regards the adjustment of the difficult question of expenses as between county and burgh. Now, in the distribution of the local taxation licences we propose that some system shall be devised for throwing them into a common fund, and thus the question of expenses would not arise. Of course, if this question remained, it might prove one of the best defences of the proposal for the appointment of a Boundary Commission. But we hope that this thorny question of expenses and interest as between burgh and county will not arise, but that the licences will be dealt with on some general principle. Is it not the fact that the Boundary Commissioners in England have found their duties to be exceptionally light? I am sure the Government would not appoint the Boundary Commissions simply for the purpose of creating a few offices; and I would earnestly ask them to consider whether the Sheriff could not do the work sufficiently well under proper precautions.

MR. J. P. B. ROBERTSON: Upon this subject I may point out to the hon. Gentleman that the duties of the Commissioners will only arise when the boundaries of a burgh run into two counties, or where it is a dispute as to the boundaries of two counties. In such a matter it is evident you must, for the determination of the question, have a tribunal which stands entirely outside the county, and that a Sheriff certainly does not do. Take the case of a boundary to be rectified between two counties. Each county has a Sheriff; which Sheriff is to decide the dispute; or, if both are to adjudicate, who is to be the umpire? If you are to have Sheriffs entirely outside the counties, why then that is only the Boundary Commission under another name. Already questions have arisen which will require very close examination, and it will be better to have an absolutely impartial body than to entrust the duty to an official who already has considerable duties to perform.

*MR. D. CRAWFORD: It seems to me that this is a question for the discre-

tion of the Government; but I think it my duty to point out that in the opinion of many of us on this side of the House the proposal would mean a very unnecessary expenditure of public money, and that the duties might be very much more economically performed.

***MR. CAMPBELL-BANNERMAN:** This is a matter, as has been said, very much for the discretion of the Government. It is also a matter of experience, and it has been pointed out that the Boundary Commissioners appointed under the English Bill of last year have found their duties not nearly as heavy as was anticipated by the House. If that be so, I really think it is worth while for the Government to consider whether all this expense and machinery for a special Boundary Commission is necessary. I attach the greatest importance to the opinion of my hon. Friend the Member for North-East Lanarkshire (Mr. D. Crawford), because he was himself a Boundary Commissioner under the Representation of the People (Scotland) Act of a year or two ago, so that he must be well aware of the work which will come before the Commission. My hon. Friend thinks it may be possible to dispense with the creation of this body, and I really hope that his views will be taken into consideration. I do not think there would be much difficulty in arranging that the question of boundaries should be settled by the Sheriff, especially as the Boundary Commissioners would be men with no knowledge of the locality.

MR. J. P. B. ROBERTSON: This is entirely a matter of administrative arrangement. It is desirable, however, that the work of settling the boundaries should be settled by persons who are entirely impartial. Nothing I have heard in the Debate has removed the impression from my mind that the appointment of a Boundary Commission is the best plan of settling these questions. On the question of expense, it may be observed that if the right hon. Gentleman opposite is right in thinking that the amount of work will be light, the expense will be correspondingly light. No doubt also the people concerned would look with more confidence on an impartial body of men than they would on the Local Authorities.

Question put, and agreed to.

MR. DUFF: The next Amendment, standing on the Paper in my name, is drawn after consultation with the Road Trustees of the County of Aberdeen and the County of Moray, and has received their approval. It is only a temporary provision intended to be in force until the Boundary Commissioners define the boundaries of counties. The Bill as it stands at present presents an anomaly in this respect—that taxation and representation do not necessarily go together; but, according to this Amendment, certain members of both parties would not be represented on the County Council. But I think that objection can be overcome by a subsequent Amendment standing in the name of the right hon. Gentleman the Member for Clackmannan (Mr. J. B. Balfour.)

Amendment proposed, Clause 11, page 6, line 21, at end, add—

“Where the boundary of a road district has been fixed under a Local Road Act, passed prior to the General Road Act of 1878, the existing boundary so defined in said Local Act shall continue in force for all rating purposes for the maintenance and management of roads and bridges, notwithstanding any provisions in this Act to the contrary.”—(Mr. Duff.)

Question proposed, “That those words be there added.”

MR. J. P. B. ROBERTSON: I must own that there is great reason why care should be taken not to disturb an arrangement which has been ratified by Parliament, and which is found to be most convenient. If, however, we were to adopt the course suggested in the Amendment we should, as it were, divorce the administration of the roads from the administration of other county affairs. Then the question arises, what electorate is to determine in the one question and the other. Are they to be the same or different? I have carefully considered the problem involved in the Amendment, and I think a solution may be found in the action of the Joint Committee appointed by the two counties. Whether that be so or not, I can assure the hon. Gentleman that I completely sympathize with the object he has in view, and in one way or other I am quite certain we shall attain it.

MR. DUFF: If the Amendment be withdrawn will the right hon. Gentleman bring up a clause to carry out the object in view?

MR. J. P. B. ROBERTSON: I will either do that or enable the hon. Gentleman to make a proposal of his own if he differs from me.

Amendment, by leave, withdrawn.

Clause, as amended, agreed to.

Clause 12.

Amendment proposed, Clause 12, page 6, line 24, after "counties," insert "so far as expedient."—(*Mr. J. B. Balfour.*)

Amendment agreed to.

MR. J. P. B. ROBERTSON: I beg to move the next Amendment standing in my name.

Amendment proposed, Clause 12, page 6, line 25, after "counties," insert "or parishes."—(*Mr. J. P. B. Robertson.*)

Question proposed, "That those words be there inserted."

*MR. CAMPBELL - BANNERMAN: I wish to ask whether the Boundary Commissioners are to deal with the question of burghs wholly within one county? I think the Lord Advocate is aware that one of the burghs in my constituency is very unfortunately situated, and there are others in much the same position—the Parliamentary and Royal burghs differing entirely in their extent. The Boundary Commissioners I am afraid would not have power to deal with a question of this sort.

MR. J. P. B. ROBERTSON: No, Sir; that would not fall within the scope of the Boundary Commission. The Committee has already decided that the municipal boundary is to decide the area of the burgh—that is to say, where the Parliamentary burgh differs from the municipal boundary the latter shall prevail.

Question put, and agreed to.

*MR. CAMPBELL - BANNERMAN: Will the Lord Advocate state the names of the Commissioners?

MR. J. P. B. ROBERTSON: No, Sir; I cannot just now. I think it will be perfectly satisfactory to the right hon. Gentleman if I do so on Report.

DR. CAMERON: Will the right hon. Gentleman give us some indication of the number of the Commissioners, and of the character of the Commission?

MR. J. P. B. ROBERTSON: I think a very small number will be sufficient. It seems well that there should be a very limited number, so that there may be concentrated action on the part of all of them.

DR. CAMERON: How will the Commission be composed? Will there be a mixture of the legal and engineering elements?

MR. J. P. B. ROBERTSON: I do not think the legal element ought to preponderate. My impression is that the Commission ought to be one consisting of business men, who would deal with the matter on intelligible as well as scientific principles.

Clause agreed to.

Clause 13 agreed to.

Clause 14.

The following Amendments were agreed to:—Page 8, line 5, after "parishes," leave out "and," and insert "or;" line 6, after "burgh," insert "or to group parishes or parts of parishes;" lines 7 and 8, leave out "parishes or police burghs," and insert "districts formed under the provisions of this Act;" line 14, after "equal," insert "but subject always to the provisions of this Act."—(*Mr. J. P. B. Robertson.*)

*MR. J. B. BALFOUR: The primary idea of the publication required by the clause is, no doubt, that the matter should become known to all persons interested, and for this purpose local newspapers are unquestionably useful. But there are reasons that also render it desirable that there should be publication in the *Edinburgh Gazette*. Thus there are railways in Scotland which traverse 1,200 miles of country, and it cannot be expected that their officials should read all the local newspapers published in the country so traversed, while they could read the *Edinburgh Gazette*. I move my Amendment.

Amendments proposed, page 8, line 17, after "in," insert "the '*Edinburgh Gazette*,' and in;" page 8, line 17, after "such," insert "other."

Amendments agreed to.

*MR. HOZIER: The *Edinburgh Gazette* may be very interesting reading, but it is not much read, either by my

constituents or by me, and I hope that the right hon. Gentleman will not object to my Amendment in line 21.

Amendment proposed, page 8, line 21, after "Gazette," add "and once in each of two successive weeks in some one and the same newspaper circulating in the district."

Amendment agreed to.

Question proposed, "That the Clause, as amended, stand part of the Bill."

DR. CAMERON: Perhaps the Lord Advocate can now give us some general idea of the line upon which these County Councils should be constituted. It will be remembered that at an earlier stage of the first Bill my hon. Friend the Member for North Lanark brought the matter forward, and a Division was taken on the general question whether the divisions of the county for electoral purposes should be scheduled in the Bill. It was promised then that there should be laid before the House information as to the general rules that would be followed. It was stated that there was a general idea that the number of Councillors should be about 60. I think before we pass away from this clause we should have some general idea of what are the Government proposals on this point.

MR. J. P. B. ROBERTSON: I am not aware that whatever may be the number decided upon any modification of this clause will be necessary. I shall certainly be prepared at a very early stage to give the information.

*MR. CAMPBELL-BANNERMAN: Before the Bill leaves Committee?

MR. J. P. B. ROBERTSON: Yes, certainly. We have been making sufficient progress to justify a hope that we may get through the Bill to-night; but I shall be prepared to report Progress before the Bill is finished, to allow of the statement being made.

DR. CAMERON: For the right hon. Gentleman to ask us to accede to this clause laying down instructions to the Sheriff without any information on the point, is "rather a large order," to use a common expression.

MR. ANGUS SUTHERLAND: Will the statement be a verbal one?

MR. J. P. B. ROBERTSON: I hope to make a verbal statement in such a

form that it shall be perfectly intelligible.

DR. CLARK: I think it was understood, from the President of the Local Government Board, that a statement should be submitted which, if the Committee desired, should be scheduled in the Bill.

MR. J. P. B. ROBERTSON: I am in the recollection of the Committee, but certainly no such pledge was given that the statement should be scheduled in the Bill.

DR. CAMERON: I think the arrangement was that the statement should be laid upon the Table, and when any member of the Committee could have an opportunity of moving that it be scheduled in the Bill.

MR. J. P. B. ROBERTSON: To that I calmly adhere. I will undertake that the Bill shall be laid on the Table before the Bill leaves Committee. We shall present it for information with the hope that it may find acceptance, but it will be open to the Committee to make any suggestion on the information supplied.

MR. J. O. BOLTON: Will the numbers of the Councils be approximately equal, because the circumstances of the counties vary very much?

MR. J. P. B. ROBERTSON: The hon. Member will observe the effect of the words, subject always to the provisions of this Act. A general view will be taken of the whole circumstances, and having regard to all the matters referred to, you reach a standard of equality, and, according to this, you make them as far as possible approximately equal.

Clause agreed to.

Clause 15.

The following Amendments were agreed to:—Page 8, lines 23 and 24, leave out "of each county;" line 26, after "in," insert "section 14 and sub-section (1) of;" line 31, after "Gazette," insert—

"And once in each of two successive weeks in some one and the same newspaper circulating in the district;"

Line 35, after "Acts," insert—

"(4.) All expenses properly incurred by the Sheriff under this Section shall be deemed to be part of the expense of making up the register of county electors, and be defrayed and provided for accordingly."

Clause, as amended, agreed to.

Clause 16.

The following Amendments were agreed to:—Page 8, line 39, leave out after “and,” to “or” inclusive, in line 40; line 41, before “and,” insert “and parishes;” page 9, line 1, after “may,” insert—

“If the Commissioners shall, in the whole circumstances of the case, deem it necessary or expedient.”

Line 2, after “and,” insert “that;” line 2, after the second “county,” insert “or parish.”

Amendments agreed to.

Amendment proposed, page 9, line 8, after “provided,” insert—

“Provided that in determining any alteration of boundaries the Commissioners shall take into account how far the proposed alterations may affect the revenues of the districts concerned; and shall hear any County or Local Authorities affected by any such proposed alteration before determining the same.”

MR. J. P. B. ROBERTSON: If it were not for local circumstances, I should have accepted this unsuspectingly; but anything that comes from that extremely controversial region around Glasgow raises suspicion at once. I would suggest to my hon. Friend that he should omit the words from “take” in the second line down to “shall.”

Sir A. CAMPBELL assented.

Amendment, by leave, withdrawn.

The following further Amendments were agreed to:—

Page 9, line 8, after “provided,” insert,

“Provided that in determining any alteration of boundaries the Commissioners shall hear any County or Local Authorities affected by any such proposed alteration before determining the same.”

Page 9, line 25, leave out “scheme,” and insert “order.”

Page 9, lines 29 and 30, leave out “have effect only as,” and insert “be deemed to be.”

Page 9, line 35, leave out “referred to a Select Committee,” and insert “deemed to be.”

Clause 17.

Amendment proposed, page 11, line 4, before “adjustment,” insert “any.”
—(*The Lord Advocate.*)

Amendment agreed to.

Clause, as amended, agreed to.

Clause 18.

On the Motion of the Lord Advocate, the following Amendments were agreed to:—Page 11, line 22, after “number,” insert “of county councillors, the number”; line 28, leave out “small.”

On the Motion of Sir John Kinloch the following Amendments were agreed to:—Page 11, line 28, after “parishes,” insert “or parts of parishes;” line 29, after “parishes,” insert “or parts of parishes;” line 30, after “parishes,” insert “or parts of parishes.”

*MR. CRAWFORD: I have an Amendment to propose which does not appear on the Paper. I am not quite certain whether this is a popular Amendment and I daresay some parishes will much object to be grouped with others for rating purposes. But I feel very strongly that in many cases it is desirable to enlarge the area of rating and therefore I have no hesitation in submitting this Amendment to the judgment of the Committee. There is one observation which might be made by way of objection to this Amendment, and that is that the Secretary for Scotland is already empowered on the petition of a County Council to unite certain parishes for these purposes. There are many parts of Scotland in which I admit it would not be expedient to put this Amendment in force. But there are other parts where the parishes are so numerous and so small that obviously they do not form a convenient area for rating purposes, and we have long been anxious in those cases to have an opportunity of enlarging the rating area. Now, this proposal is guarded in the Bill itself by two precautions. One is, that the Secretary for Scotland can only take action on the petition of the County Council, which is responsible for the district affected; and the other is that no alteration in the boundaries can take effect except it is contained in a Provisional Order, which must be ratified by Act of Parliament. I think the importance of maintaining the independence of small parishes is so great that unless we had these two securities—the security of origin and that of confirma-

tion—I should not take the responsibility of making this proposal to the Committee. Under the circumstances, however, I would urge upon the Lord Advocate the importance of giving some legislative assistance for the enlargement of areas of rating when it is necessary.

Amendment proposed, Clause 18, page 11, line 32, to insert a new subsection with a view to uniting all the parishes and school districts within a county district into one area of rating.

MR. J. P. B. ROBERTSON: The hon. and learned Member has given evidence of the great interest he takes in this subject; and I am not surprised—after the Debate we had last Friday—that he should have brought forward this Amendment. But I must point out that he is stepping outside the province of this Bill by entering into the region of rating areas for purely parochial rates. I do not see how we can very well vest the District Committees of the County Councils with the duty of raising rates over the administration of which they will have no control whatever. At present it will be observed that we leave the administration of the school and parochial rates to the School Board and Parochial Board respectively. We do not transfer those duties to the County Councils; and I do not see by what logic or reason you can make the District Committee of the County Council—which has nothing to do with these rates—the rating authority for them. I agree that it may be desirable to unite parishes, in some instances, for the collection of rates; but that must be done on considerations which are entirely separate from those now before the Committee. The hon. and learned Gentleman is pursuing a more ambitious course than we necessarily find it possible to adopt.

*MR. CRAWFORD: The Bill itself transfers certain duties and rates of the Parochial Boards, and I thought I was only following out that principle when I made this proposal. It would be possible—if the Lord Advocate preferred it—not to make the District Committee the rating authority, but I do not think that my proposal is unreasonable, seeing that each of the Parochial Boards would be represented on

the District Committee. Still, if the Lord Advocate will approve of my Amendment to the extent of saying there ought to be a wider rating authority, I shall be content to leave it in that position.

*MR. BARCLAY: I am afraid that the proposal of my hon. Friend is premature. The great object of the present Bill is that each County Council shall determine the district which is most suitable for administration and rating, and when we have attained that end, then it will be time enough to try and secure uniform rating for all purposes over the district. The great difficulty in dealing with the question of county government is the inequality of the rating area, and the desire is to break up the county into suitable districts for administration and uniformity of rating. I hope that the County Councils, after some experience, will be able to divide the counties into districts and areas most suitable for uniformity of rating and administration, and then when they have gained sufficient experience, we could have a Bill to amalgamate the whole administration under the District Committee with uniform assessment and a consolidated rate.

Amendment, by leave, withdrawn.

Clause, as amended, agreed to.

Clause 19.

DR. FARQUHARSON: I wish to introduce a word in this clause which will, however, have the important effect of making the clause compulsory instead of permissive.

Amendment proposed, page 12, line 27, leave out “may, if they see fit,” and insert “shall, except where otherwise allowed by Board of Supervision, from time to time.”

MR. MARK STEWART: My Amendment, which follows, will have practically the same effect. My experience is that unless you make the carrying out of these powers of appointing medical officers and sanitary inspectors compulsory, few Boards will take the trouble to enforce them.

MR. J. P. B. ROBERTSON: This is certainly an Amendment of great importance, and I have very great sympathy with the objects disclosed by the hon. Members. But at the same

time, I do not think it would be wise for the Bill to, in so many words, compel the County Council to equip a full sanitary staff. I think it is quite sufficient to give them a broad hint that it is their duty—except under exceptional circumstances—to appoint a medical officer and sanitary inspector. It is wise to give a stimulus to sanitary organization throughout the country, but I doubt if it is wise to proceed by compulsion. Still in order to enlist the active co-operation of the County Councils, I think it would be as well to use more general terms.

*MR. CAMPBELL-BANNERMAN: Of course, we have always been taught to understand that the word "may" in an Act of Parliament means "shall," and if the Lord Advocate consents to the omission of the words, "if they see fit," thus leaving the word "may," and agree also that that shall be taken as meaning "shall," I shall be quite content. But he speaks of "exceptional circumstances" in which the County Council may be placed in regard to the appointments of medical officers. Now, I cannot conceive any such exceptional circumstances. Upon what occasions can it possibly be that it will not be the duty of a County Council to appoint a medical officer, and a sanitary inspector? Are there any conceivable reasons why a county should be left without this sanitary organization? I do not believe there are any such exceptional circumstances, or any grounds whatever for such a suggestion, and therefore I am quite prepared to support my hon. Friend in insisting on the use of the imperative phrase.

MR. FINLAY: I apprehend that my hon. Friend the Lord Advocate will hardly say that the word "may" means "must." There was an idea abroad for some time, such as has been referred to by the right hon. Gentleman the Member for Stirling Burghs, that the word "may" in an Act of Parliament meant "must" or "shall," but it has recently been decided by the highest tribunal that the word "may" means nothing else but "may," and not "shall," and it is only where some antecedent duty of exercising certain functions exists that the word "may" can be construed as imposing a duty.

Mr. J. P. B. Robertson

*SIR W. FOSTER (Derby, Ilkestone): The object of the Amendment before the Committee is, I take it, to insure that the exercise of these powers shall be compulsory. In the past, permissive legislation has not proved satisfactory in Scotland. We have very few Medical Officers of Health there, and we want to insure that there shall be a complete sanitary organization in every county, and that the establishment of that organization shall be one of the primary duties which the Local Authorities will be compelled to carry out. We think it is essential for the health of the community and for the general well-being of a district that this should be done. I can quite understand that the Lord Advocate has in his mind the case of some of the smaller counties, and that he thinks that the compulsory appointment of these officials would be to them a matter of considerable expense. But there is no reason why these smaller counties should not unite for the appointment of a thoroughly efficient officer for the combined districts. We believe that medical officers appointed under these circumstances have much greater influence as sanitary advisers than if they are appointed for smaller areas. The experience gained under the Local Government Act passed last year, affords an additional reason for making this provision compulsory. Up to the present time only a small number of counties in England have taken it upon themselves to exercise this power of appointing Medical Officers of Health, and we hold that it would be better for the sanitary condition of the country if every County Council would carry out the objects of this provision.

MR. FIRTH: There is still another reason to which I wish the attention of the Lord Advocate to be drawn. Under Section 20 District Sanitary Officers will be responsible to the County Councils, and it is obviously necessary that the County Councils should have an officer qualified to advise them, otherwise the Reports of the sanitary officers would be useless.

DR. CLARK: I hope that in this case the Lord Advocate will adopt the Amendment. I think each county should appoint as medical officer a man who will devote his entire time to the work. But still, it would be pos-

able for two or three small counties to combine in order to secure the services of a thoroughly efficient medical officer. I do not see why the Lord Advocate should object to this Amendment, unless, indeed, it is desired—and unless also it is the intention of the Government—to permit some counties not to appoint medical officers and sanitary inspectors. If that is their desire, then by all means let us make the clause permissible; but if it is the intention of the House and the Government that there shall be in every county a medical officer of health and sanitary inspector, then we ought to adopt the Amendment of my hon. Friend.

MR. J. P. B. ROBERTSON: Our desire was rather to leave the counties to take the initiative in this matter, but the expression of opinion which we have had to-night shows that this is one of those prominent questions upon which we ought to take the liberty of directing the action of the County Councils. That being so, the Government have no desire to stand in the way of so peremptory an indication of opinion as has come from hon. Gentlemen opposite. The hon. Member for Caithness has pointed out what may prove a practical difficulty in the way of enforcing this provision in some of the smaller counties, and we shall have to consider whether there cannot be some modification of the clause in the direction he has indicated. It is possible that there may be counties in which some arrangement might be agreed upon other than restricting the medical officer to the work of his office. It might be possible, for instance, to find some method of arranging for the suspension of the prohibition as to private employment, with the consent of the Secretary for Scotland. Under these circumstances, the Government will not offer any opposition to the substitution of the word "shall" for "may."

DR. FARQUHARSON: I think the difficulty could best be met by empowering two or three small counties to combine together for the appointment of a medical officer. It is constantly done in England, and the system has been found to work extremely well, for by means of it the services of highly qualified men have been obtained, and that is much better than getting a little snip of the time of an already over-worked

practitioner, who may be elected to discharge the duties in a smaller area.

*MR. BARCLAY: In my opinion, it is desirable that there should be at least one officer for each county. I think it would be unfortunate to have too large districts.

Amendment agreed to.

Question proposed, "That the Clause, as amended, stand part of the Bill."

*SIR W. FOSTER: I should like to call attention to the fact that a very important Amendment is left out with reference to the Sanitary Inspector and I move to insert after "Council,"

"Provided always that the Sanitary Inspector or Sanitary Inspectors under the Act shall be subordinate to the Medical Officer of the district or county to which they are appointed."

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: The introduction of these words might lead to complications with regard to Inspectors in towns. I have no doubt that the Sanitary Inspectors who would be in the service of the County Council would more or less be under the Scientific and Chief Officer of the Staff.

DR. FARQUHARSON: (Aberdeenshire, W.) It is rather a pity the Amendment is not accepted, as we might have made the Inspector work in harmony with the Medical Officer. I think it is a great pity that it should not be definitely laid down that the opinion of the Medical Officer should be made paramount and supreme, and that the Sanitary Inspector should be made a secondary person.

MR. CALDWELL: If the Sanitary Inspector should be made subordinate to the Medical Officer, you would interpose a difficulty in the way of prosecutions under the Public Health Act.

MR. FINLAY: The words are so very vague that I do not know whether they could be used.

SIR W. FOSTER: The difficulty will be more and more felt as time goes on. If the officers are independent of one another, you will be liable to their clashing in sanitary work, which will be made exceedingly difficult, and perhaps inoperative. However, I will withdraw the Amendment, and leave

time, I do not think it would be wise for the Bill to, in so many words, compel the County Council to equip a full sanitary staff. I think it is quite sufficient to give them a broad hint that it is their duty—except under exceptional circumstances—to appoint a medical officer and sanitary inspector. It is wise to give a stimulus to sanitary organization throughout the country, but I doubt if it is wise to proceed by compulsion. Still in order to enlist the active co-operation of the County Councils, I think it would be as well to use more general terms.

***MR. FIRTH: MR. BANNERMAN:** Of the County Council over the District Authority if these words be left out? If the Report is not sent in, the contribution is not made.

MR. J. P. B. ROBERTSON: My objection is that it is very undesirable to fix the penalty which is to be paid. My opinion is that it should be open to the supervision of the official charged with a public duty to mete out the penalty which should attach to the offence. I think you had better not consider a case of the kind on the *ultima ratio* of consequences to the defaulter.

MR. FIRTH: We are working under this clause at the present time, and it is important to see why this alteration should be made. The chief object of appointing the Medical Officer to the County Council is that there should be a central control over the Reports from the districts.

DR. CLARK: Supposing a Report is not sent in, and suppose the Council were not to dismiss the official, the Council would, therefore, be compelled to see that the Reports were sent in. It seems to me that would be a strong inducement to the District Committees to see that the Reports were sent in to the County Council.

MR. J. P. B. ROBERTSON: On the suggestion of the hon. Member for West Aberdeenshire we have struck out the word "periodical," and accordingly the Reports will go before the County Council. I think that makes it still more undesirable that we should lay down a peremptory rule. In every case where there was a failure to report, the County Council would stop the allowance for salary. On the whole, it would be

***SIR W. FOSTER (Derby, Ilkestone):** The object of the Amendment before the Committee is, I take it, to insure that the exercise of these powers shall be compulsory. In the past, permissive legislation has not proved satisfactory in Scotland. We have very few Medical Officers of Health there, and we want to insure that there shall be a complete sanitary organization in every county, and that the establishment of that organization shall be one of the primary duties which the Local Authorities will be compelled to carry out. We think it is essential for the health of the community and for the general well-being of a district that this should be done. I can quite understand that the Lord Advocate after his usual words "from any such Report" be left out, and then the clause would read generally.

MR. FIRTH: Yes, that would meet the case.

Question, "That those words stand part of the Clause," put, and negatived.

Clause, as amended, agreed to.

Clause 21.

***MR. HOZIER** moved, Clause 21, page 13, line 24, leave out from "board" to "allow," in line 26, and insert "County Council shall expressly otherwise determine."

Question put, "That the words proposed to be left out stand part of the Clause."

DR. CLARK: I rise for the purpose of getting some information from the Lord Advocate. The clause states that no person shall be appointed who has not qualified for surgery, sanitary science, and midwifery. The latter qualification I consider necessary. The Irish College, I believe, used to give a certificate for midwifery. I think what is really meant is that in all cases a regular medical practitioner shall be appointed, and it is very important to determine whether you intend in the future to compel every Medical Officer of Health to qualify in sanitary science. No man, in my opinion, ought to hold such a position unless he has studied sanitary science. I should like,

Sir W. Fowler

Mr. CALDWELL: Take the case of a river that passes through a burgh, which burgh pollutes the stream. If that burgh is a Sanitary Authority who ought to enforce the Rivers Pollution

inclusive in line 13.—(*Mr. J. P. B. Robertson.*)

Page 19, line 17, leave out "first," and insert "fifteenth."—(*Mr. Hosier.*)

Page 19, line 18, leave out after "whatever," to end of Clause.—(*Mr. J. P. B. Robertson.*)

Clause, as amended, agreed to.

Clause 33.

Amendments made.

Clause, as amended, agreed to.

Clause 34.

Amendment proposed, page 20, line 27, after "provided," insert—

"And from and after the appointed day all provisions in regard to the audit of accounts of any administrative body whose powers and duties are by this Act transferred to the county council are hereby repealed."—(*Mr. J. P. B. Robertson.*)

Clause, as amended, agreed to.

Clause 35.

**MR. D. CRAWFORD*: I beg to move to insert at the beginning of the clause—

"The Queen's and Lord Treasurer's Remembrancer shall at the request of any county council audit the accounts of such council free of charge. Where such request has not been made."

I need not point out to the Committee that this is an important Amendment in the interest of economy, and also of uniformity. The authorities in Scotch counties are obliged to have a valuing officer who is called an assessor, for the purpose of valuing the land in the county for rating, and some years ago they were empowered, if they thought proper, to avail themselves of the services of the Government officer, who is employed to value land for imperial purposes free of charge. Nearly all the counties in Scotland—all but five or six—have availed themselves of that option, and the system has worked exceedingly well.

Amendment proposed, in page 20, line 28, at the beginning of the clause, to insert—

"The Queen and Lord Treasurer's Remembrancer shall at the request of any county

council audit the accounts of such council free of charge. Where such request has not been made."—(*Mr. Donald Crawford.*)

Question proposed, "That those words be there inserted."

MR. BARCLAY: We have now arrived at a point when I think we may conveniently report Progress.

**MR. W. H. SMITH*: We have made great progress, and I do not object to Progress being reported.

Committee report Progress; to sit again To-morrow.

AUDIT (ARMY AND NAVY ACCOUNTS) BILL. (No. 314.)

Considered in Committee, and reported, without Amendment; read the third time, and passed.

REVENUE BILL. (No. 315.)

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

SIR H. DAVEY (Stockton-on-Tees): I shall not oppose the Second Reading of this Bill, but I hope that before the Bill goes into Committee the Government will carefully consider the effect of the 18th clause of the earlier Act. The effect of that clause was to impose the great burden, both on vendors and purchasers of real estate and other property, of having their contracts stamped with an *ad valorem* stamp corresponding to the whole amount of the consideration money. The 15th Clause of the present Bill, as I read it, makes confusion worse confounded, and increases instead of remedying the burdens of the 18th Clause of the earlier Act. I trust that before the Bill goes into Committee, the Attorney General will be in a position to propose some improvement of the 15th Clause, which will make the Bill more acceptable to the House.

**THE ATTORNEY GENERAL* (*Sir R. WEBSTER*, Isle of Wight): I do not quite agree that Clause 18 imposes burdens on vendors and purchasers of real property. I think that observation goes too far. At

the same time I will give my attention to the matter in the interval which elapses between to-day and the Committee stage, and I hope my hon. and learned Friends will give me their assistance in framing a clause to meet any objection.

SIR W. LAWSON: I trust the Committee stage will be taken at a time when we can have full discussion. Clause 25, which relates to the liquor traffic, will cause a good deal of discussion.

Question put, and agreed to.

Bill read a second time, and committed for Friday.

WEIGHTS AND MEASURES BILL (No. 230)

Order read for the consideration of Lords' Amendment.

*THE PRESIDENT OF THE BOARD OF TRADE (Sir MICHAEL HICKS BEACH, Bristol, W.): I hope the House will agree to take this Bill now for this special reason, that with the repeal of the London Coal Duty, certain legislation as to the weighing of coal falls to the ground, and it is important that legislation should be substituted in order that the public may not be defrauded.

Lords' Amendment considered, and agreed to.

AGRICULTURAL HOLDINGS (SCOTLAND) ACT (1883) AMENDMENT BILL. (No. 58).

Lords' Amendments agreed to.

TECHNICAL EDUCATION BILL. (No. 27.)

Considered in Committee.

(In the Committee.)

Clause 1 agreed to.

Clause 2.

*THE VICE PRESIDENT OF THE COUNCIL ON EDUCATION (Sir WILLIAM HART DYKE, Kent, Dartford): As this clause now stands we find that the just claims of the voluntary schools are excluded from the Bill, and with the view of bringing voluntary schools within the scope of the Bill, I have to

move the Amendment of which I have given notice. I can only say how deeply I regret that in the many and very long discussions in and out of the House, upon technical education, I can offer to the Committee no more clear solution of this long-standing controversy. It is quite obvious that we, who are supporters of voluntary schools, find it impossible to let the clause stand as it now does, and we consider it our duty to bring these schools within the Bill. I do hope that hon. Members may see fit to accept the Amendment, or that at least the discussion may find some solution of the difficulty, and I am sure the time thus occupied will not be wasted.

Amendment proposed, Page 1, line 9, after the word "board," to insert the words "or Local Authority."

Question proposed, "That the words 'or Local Authority' be there inserted."

*SIR HENRY ROSCOE (Manchester, South): I should like to ask the right hon. Gentleman opposite whether he would consent to postpone this Amendment, because it will be observed there is another Amendment on the Paper, in the name of the hon. Member for Islington, which comes later on, and this, I think, we on this side of the House are disposed to accept. It is important to remember that what we have attempted in this Bill is to give aid and assistance in the matter of technical education in all large centres of industry where School Boards exist, and so also we are anxious to do all in our power to assist voluntary schools in connection with these Board Schools. The Bill of 1887, which the Government introduced, restricted itself to this particular question just as we do now. I do hope the right hon. Gentleman will find it possible to accept my suggestion and to leave this matter over until we reach the Amendment which stands later.

*MR. J. G. TALBOT (Oxford University): I rise to confirm what has been said by my right hon. Friend. I admit the matter is urgent, and I think we are all agreed upon that. But we

must take care that in settling the matter we do justice to all sides. But I am bound to point out to those who take such a laudable interest in the matter that this is, as it stands, a one-sided Bill, that it permits technical education only in cases of schools under School Boards. Now, the supply of elementary education to the country comes from two sources—from the voluntary schools as well as from the School Board—therefore, I think my right hon. Friend is taking the right and manly course in moving his Amendment. The hon. Member for Manchester refers to the Amendment, which is not under discussion, and so I suppose I should be out of order in dwelling upon it at length. I may, however, say of it that it does not satisfy me or those with whom I am acting on this question—it does not cover cases in which there are no School Boards. However, we cannot enter upon the discussion of this controversial point, because the rules of debate do not admit of it. I am as anxious as anybody that an attempt should be made to promote technical education, but I cannot do so by a Bill which does not deal with equal fairness with the voluntary schools of the country as well as Board Schools.

*THE MARQUESS OF HARTINGTON (Lancashire, Rossendale): I trust that the Vice President of the Council will see his way not to insist on the Amendment which he has moved, and which I do not think he supported with any extraordinary warmth of conviction. The subject of technical education has now been so long before the country that it would be very little short of a scandal if we failed to give some expression to what is the almost universally-acknowledged desire, that additional facilities for the promotion of technical education should be given. And it would be much to be regretted if a difference of opinion on a much-controverted subject connected with primary education should be allowed to stand in the way of that important object. The hon. Member

Mr. J. G. Talbot

for the University of Oxford must be aware that if he insists on raising in connection with this subject the very burning and difficult question of the application of rates to voluntary schools, it is impossible that any Bill on this subject can be passed either in the present Session, or, as far as I can judge, in any Session in which we are not able to devote a very great deal of time to the question. Under these circumstances it is, I think, well worth while for the House to consider whether it is not possible that a compromise such as that which has been indicated by the hon. Member for Manchester might be arrived at. Those who are interested in voluntary schools must be aware that they can hardly hope in the present Parliament, or in any Parliament that we are likely to see for some time to come, that they will be able to apply the direct assistance of rates to voluntary schools, and I ask them to consider whether it is at all probable that within any reasonable period they would obtain a greater concession on the part of the supporters of Board schools than is now within their reach, and also whether, on account of the difference of opinion which has arisen, they will take upon themselves the responsibility of preventing the application of local funds to the promotion of technical education in the face of the expressions of opinion which have proceeded from the localities interested in favour of this Bill. It would be very unfortunate if the industrial centres which desire to devote their local resources in some manner or other to the promotion of technical education should be debarred from doing so owing to what is not a very essential difference between the supporters of voluntary and Board schools respectively.

VISCOUNT CRANBORNE (Lancashire, Darwen): I am sorry to say, in reply to the noble Lord, that we find the Bill fails in a matter of detail. But I do not think, from the point of view of high principle, that the local rates should not be applied to voluntary schools; and I do not think there is a very great difference between the Amendment as

proposed by my right hon. Friend and the compromise which is offered by the hon. Member opposite. Whether the School Board goes to the rates or the voluntary schools go to the rates is not a very great difference of principle; but there is a very great difference of opinion between us as to the fairness with which voluntary schools are treated in the Bill, and, therefore, I hope that the Amendment of my right hon. Friend will be accepted. It is most important because, as the Committee is aware, it is not every parish in England that has a School Board or anything like it; and those parishes that have not, would be excluded from any benefit of technical education that this Bill would give. Apart from that I say, is it desirable that voluntary schools should go hat in hand to the Board and ask to have the advantage of technical education? We know that voluntary schools started in a position of superiority to Board Schools, and they have always been acknowledged to be in a position of equality. We have always thought that it is the Local Authority which should decide whether the School Board should or should not have technical education. We are willing that the School Board should decide for itself whether it should have technical education or not, but not that they should decide for the voluntary schools. It is, I think, a most reasonable Amendment, and I hope it will be insisted upon.

*MR. ARTHUR ACLAND (York, Rotherham): I think, as the noble Lord said just now, that it would be a great misfortune if we were to fail to give the country the advantage of technical education through entering upon this question of the application of rates to voluntary schools. But I may point out that whatever may be the personal opinion of hon. Members opposite that of the Government has been distinctly expressed, and when the Royal Commission proposed that assistance from the rates should be given to voluntary schools, the right hon. Gentleman, on the part of the Government, declared that he did not propose to disturb the settlement arrived at in 1870, by accept-

ing that recommendation. Apart from that, the reason why we object to the Amendment, is that this clause is intended to deal entirely with School Board districts, and the discussion should be confined to that question. The Bill proposes to deal only with great centres of industry, and non-School Board districts may be dealt with hereafter. We ask the Vice President of the Council to consider whether he could in lieu of his own Amendment consider with favour that which will be proposed by the hon. Member for Islington later on.

MR. FISHER (Fulham): We are quite as anxious for a settlement of this question as hon. Member opposite. But if technical education is a good thing, then it is a good thing whether it is engrafted upon School Boards or upon voluntary schools. What hon. Members opposite are endeavouring to secure, is not a triumph for technical education, but for Board Schools. The position may be stated thus; they say:—"Our first is Board Schools; our second is Board Schools; and our whole is Board Schools." Whereas the difference on our side is that we put it this way:—"Our first is voluntary schools; our second is Board Schools, and our whole is technical education." When we find that hon. Members opposite agree in promoting technical education whether it be engrafted upon voluntary schools or upon Board Schools, then we shall be able to support the measure. But until that time comes, until voluntary schools are fairly treated in this respect, we shall oppose any measure of the kind, and I hope that my right hon. Friend will stick to his Amendment.

SIR U. KAY SHUTTLEWORTH (Lancashire, Clitheroe): I am sorry to hear the tone of the hon. Member's remarks so different to that in which the Committee was addressed by the right hon. Gentleman. The hon. Member accuses us of wishing to gain a triumph for the Board Schools; but, indeed, there is no feeling of the kind in any section of the Committee. The

feeling of the Committee is expressed, I think, in the words of the Vice President when he desired that we should arrive at a settlement of this question, and that at least, after all these efforts we should make some advance in the matter. The noble Lord opposite admitted that there was no great difference of principle between the suggestion of my noble Friend (Lord Hartington) and that made by the Government. If there is no great difference of principle surely that is one argument why we should try to arrive at an agreement. In the first place rates will be applied directly to the Board Schools, but voluntary schools will benefit by the assistance which School Boards will give in technical instruction for the use of voluntary schools. We cannot advance this Session so far as to secure technical education in parishes where there are no School Boards, but we may make some advance at all events in those parishes where Boards do exist, and if there is no difference of principle between us surely we ought to arrive at a compromise.

*MR. GEDGE (Stockport): As representing a large borough, where there is no School Board, I must protest against the distinction which is to be made in favour of those places, even small parishes, which happen to have a School Board given to them, but taking away from large boroughs like Stockport the advantage of this Bill. As it does not seem possible from the discussion we have had that we shall arrive at any solution of our differences to-night, I move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(Mr. Sydney Gedge.)

*MR. CHANNING (Northampton, E.): I would appeal to the hon. Member to allow us to debate the matter a little further. This Bill is desired in all parts of the House, and suggestions may be thrown out in debate which would lead to a working compromise.

Sir U. Kay Shuttleworth

*MR. F. S. POWELL (Wigan): I should deeply regret if this debate were brought to an abrupt close. I hope it will be understood that the differences of opinion that have been displayed do not arise altogether on this side of the House. Many Members on this side are, I am sure, as anxious to promote technical education as any can be on the Opposition Benches.

*SIR RICHARD TEMPLE (Worcester, Evesham): As a member of a School Board I should like to have this point argued out a little longer in order that we may be more precisely informed as to the nature of that compromise that has been alluded to by the hon. Member for Manchester and by the noble Lord opposite. How is it to work, this compromise, in School Board districts? [*Interruptions.*] I think I am entitled to get an answer. It is difficult to carry on a speech by way of conversation; but I think I am in order, for, as I understand the Motion, we should report Progress, and I wish to put forth reasons why we should not yet report Progress while we are imperfectly acquainted with the nature of the compromise which has been alluded to. I should like to know how it will work in School Board districts. I do not know, Sir, whether I should be in order in proceeding further with this question?

THE CHAIRMAN: No.

*SIR RICHARD TEMPLE: Well, then, I will not enter into the subject; but I think it is desirable that we should have a little more time in order that we may have an opportunity of considering whether the compromise should be accepted or not.

MR. MOLLOY (King's County, Birr): Although I do not agree with much that has been said on this side of the House, I am disposed to support the Amendment of the Government. I think we might be allowed to debate the Bill a little longer.

*MR. GEDGE: As there seems to be a desire on the part of the Committee

to continue the Debate, I will withdraw my Motion.

Motion, by leave, withdrawn.

Original Question again proposed.

MR. DELISLE (Leicestershire, Mid):

As to the Amendment, I should like some explanation, for I cannot say that I am satisfied with it. It appears to me that the control of Board School remains in the hands of the School Board; but in the Amendment which is proposed it would seem that the managers of voluntary schools are asked to give up part of their control into the hands of the Local Authority. It is the Local Authority that is to determine whether technical education shall be given in the school or not, whereas in the Board Schools the Board itself determines the question. Now, we are anxious to have technical education promoted; but we are not prepared to sacrifice the principle of complete independence which we have always maintained in regard to voluntary schools, and before I agree to the Amendment which has been proposed I should like to have an assurance that the managers of voluntary schools will not be deprived of any of their existing rights.

*SIR WILLIAM HART DYKE: I understand the managers of voluntary schools will have complete control in the question. If they desire to have technical education, they will apply for it, and, on showing cause, obtain it.

MR. DIXON (Birmingham): Perhaps it would be well if I were to give the explanations which have been asked for by some hon. Gentlemen on the other side of the House. The objection we feel to the Amendment of the Government is that it involves the payment of rates to schools which are not managed by representatives of the ratepayers. Now, the compromise that we have to propose is that contributions may be made out of the rates towards the cost of technical education

in voluntary schools; but that the management of such technical education should be in the hands of the School Board. Our proposal is that either or both of the two following courses may be taken: the School Board may open a school or class for the giving of technical instruction, which shall be open to scholars from Board Schools and voluntary schools on equal terms, or the Board may send technical instructors into a classroom in a voluntary school, the cost of such instruction to be paid by the School Board, who shall also receive the Government grants, and the said classroom shall be considered to be a School Board classroom whilst the technical teaching is going on. The result of this arrangement would be that in large towns where there are School Boards it would be quite possible to give scientific instruction to boys in voluntary schools. Now, the Amendment of the right hon. Gentleman raises at once the old difficulty which we settled in 1870, after discussions of great length and vehemence, and I am quite sure that if this Amendment is carried it will raise an amount of strong feeling and of agitation that will very much astonish hon. Gentlemen opposite. I desire to take this opportunity of impressing upon the Government that they are treading upon very delicate and dangerous ground: so long as they merely permit important educational questions to remain in abeyance, the acquiescence of Liberal Unionists will be comparatively easy, but the moment they sanction such reactionary measures as those now proposed strenuous opposition will certainly arise both in this House and in the country.

MR. TOMLINSON: I do not doubt that the hon. Member for Birmingham has sincerely desired to propose a compromise which should be fair to the supporters of the voluntary schools. But he does not appear to have really grasped the difficulties of the question. I have the case of the supporters of voluntary schools in places where there are also School Board schools to be dealt with by those who represent

such places. I represent a large industrial population in which there is no School Board. This so-called compromise in no way meets my case, and I decline to accept as satisfactory a proposal which would be inapplicable to the borough I represent, unless they are willing to have the infliction of a School Board forced upon them.

MR. MOLLOY: I am sorry to see this difficult question raised, and I had hoped that we might have passed further into the Bill before we encountered this difficulty. For myself I shall support the proposal of the Government. It must be remembered that there are 163 boroughs in England and Wales which have no School Boards at all, boroughs such as Birkenhead, Stockport, Preston, Warrington, and others. The noble Lord opposite appears to-night in a strong democratic character, and I am sure I do not know why. I think if this measure is limited in the way you have proposed it will do but little good. It can extend to only about one-third of the country, and I feel therefore bound to support the Government in the interests of technical education and of voluntary schools.

SIR RICHARD TEMPLE: I would make a brief appeal to the hon. Member for Manchester and to the hon. Member for Rotherham. I understand the proposed compromise is that in a School Board district the School Board is to have the option of having classes for technical education, and of admitting to those classes children from voluntary schools. The point I make is this: that the proposed arrangement with the School Board is optional. I suggest that it be obligatory; also to have the option of establishing inside the voluntary school-houses classes for the technical education of the children of those schools. Naturally, the voluntary schools do not like to go hat in hand to the School Board, but is it not possible to make this arrangement obligatory upon the School Board, so that

Mr. Tomlinson

they shall be compelled to comply with any well-founded application of a voluntary school either to have some of its scholars admitted to the School Board classes specially, or to have a School Board instructor sent specially to its class-rooms?

MR. ILLINGWORTH: The question to be decided is whether hon. Members opposite will be content to accept the system, providing payment out of the rates for technical education under the control of representatives of the people, and thus secure that technical education shall reach to all parts of the country. There are so many difficulties in the way that if this controversy, which was supposed to be settled in 1870, is raised again, then I am afraid that technical education must be postponed until this much larger question is settled. For my part, I think that the question cannot be settled until School Boards are universal throughout the country.

*SIR W. HART DYKE: I can assure the Committee that no man has struggled more incessantly than I have for the last two years to find some fair solution of this difficulty; and more than that, some of the acutest and most intelligent men, both at South Kensington and at the Education Department, have also been puzzling their brains to find a solution. Now, the difference between the one side and the other in this question that has been raised is whether there should be a direct or an indirect application of the rates. I regret very much that as yet we do not seem to have found any way out of the difficulty.

It being after One of the clock, the Chairman left the Chair to make his Report to the House.

Committee report Progress; to sit again upon Thursday.

And, it being after One of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at one minute after One o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 5.]

SIXTH VOLUME OF SESSION 1889.

[JULY 24.]

HOUSE OF LORDS,

Tuesday, 16th July, 1889.

AGRICULTURAL HOLDINGS (SCOTLAND) ACT (1883) AMENDMENT BILL. (No. 42.)

WEIGHTS AND MEASURES BILL.
(No. 141.)

Returned from the Commons with the Amendments agreed to.

SERVITUDES REDEMPTION (SCOTLAND) BILL. (No. 126.)

SECOND READING.

Order of the Day for the Second Reading read.

*THE MARQUESS OF HUNTLY: My Lords, I have some little compunction in bringing before your Lordships this very legal question; but the gravity of the subject must be my excuse for asking your attention while I very shortly venture to put before you the reasons which induce me to intrude it upon you. My Lords, the Bill relates to what are called in Scotland servitude rights, and I will explain shortly what they are. These servitude rights have been obtained in various ways. Some are the relics of the feudal system; some have arisen through friendly permission at a time when very little value was attached to the land over which the right was given; some were acquired by prescription, the freedom of the exercise having been allowed without hindrance for 40 years, which under Scotch law gives the right; and some are held

under old grants in the titles to the land. They consist chiefly of pasturage and grazing; of sporting, which includes the various descriptions of fowling, hunting, and foresting; of taking turf and peats, or, as it is called in Scotland, of feal and divot. This divoting, or paring the surface of the ground for fuel, is a remnant of a most barbarous custom, and it is universally prohibited by proprietors; but where a neighbouring proprietor has this servitude right over the land, the owner cannot prevent his tenants from divoting. I will remind the House that these servitude rights are most antiquated ones; they are the relics of a bygone age; they are not, and have not been for a long time, granted in modern charters. The tendency of the day is to get rid of these joint ownerships. I may also claim for the Bill that it follows the lines of recent legislation by enabling those who have grazing rights to become the proprietors of land. When the rights were acquired the land was of little commercial value, and the privileges the rights carried were really more for the convenience of neighbours than for any important money value contained in or attached to them. But there has been a very great change in the value of land in Scotland, more particularly in grazing and sporting districts; and as the lands have increased in value these rights have been found to cause a great amount of inconvenience to the proprietors of the soil. With the rise in the value of land, and especially of grazing and sporting land, the situation has become altered, and very great inconvenience is occasioned. The proprietor of the soil is hampered in dealing with his own land by reason of these rights. The original privilege granted is much

abused. The tenants from an adjoining estate may pasture an owner's land, interfering with his own tenants, cutting the turf and trees, and turning in their sheep or cattle wherever they like, and he has no control over them. The proprietor cannot fence his land, cannot plant it, cannot plough it, or improve it in any way. He might have rival shooting parties on his land—a case in regard to which I could give an amusing instance—organizing battues and striving which could shoot the largest number of grouse on the 12th of August. Apart from the questions affecting ownership, there is a practical one from the farmer's point of view. Where flocks of sheep are disturbed by different owners running them on a grazing with separate sets of shepherds and dogs, the sheep never settle or feed so well, and all parties are damaged by the intermingling. Supposing that a proprietor has a hill-grazing which carries 900 sheep, and a neighbour has the right to send 300 sheep more to the hill, it would not only pay the proprietor to give up a piece of land—even a third of it—to his neighbour for his separate use, but it would pay the proprietor's tenant to have his remaining ground fenced off and his flock allowed to graze undisturbed; while, at the same time, the neighbour would much prefer to have his grazing right valued, and so much land given to him for it. I think it is clear, from every point of view, that there exists a state of matters which is most undesirable, and is not beneficial to the country, or to any individual. Several proprietors whom I have consulted feel with me that they would be much better off with a smaller quantity of land free from these servitudes, than, as now, with a larger extent burdened with and rendered nearly useless by them. The method by which the Bill proposes to deal with the question is to follow the old Scotch principle of dealing with commonities, or lands held jointly under common right by two or more proprietors. An old Act of the Scottish Parliament provides that a proprietor, having an interest in a commonity, may raise an action against all persons concerned to determine their joint rights and interests, and to value and divide the lands according to the proprietors' several rights and interests. The point I wish to insist on, and

this is the reason for asking for legislation on the subject, is that there is practically no difference between commonities and servitude rights; if division is good in the former case it certainly holds good in the latter. The commonity implies a joint proprietorship, while the latter is a right of property burdened with a right of servitude in favour of another person, which is a limited right of property. Yet in those cases no division can be insisted upon as with commonities. If a joint proprietor can demand a division with other joint proprietors, it is, I submit to your Lordships, desirable that in the same way he should be able to demand a division with those who have only the right in certain degrees with him to certain uses of the land. Now, my Lords, the Bill is a very short one. My proposal is by the first clause in the Bill to enable any owner of lands burdened with these rights to apply to the Sheriff of the county to have such rights valued, and that the Sheriff, after having the rights reported on and valued, should fix and adjudge the value of each. This value by the 2nd clause is to be paid in money; but as it might be desired by the holders of these servitudes to receive a portion of the land over which their right existed in preference to money, it is provided by the 3rd clause that the Sheriff may adjudge so much of the lands in lieu and in place of the right of servitude if so wished. There is a provision by Clause 4 to enable limited owners to redeem the servitudes, and to burden the lands in their possession with the sum payable by them to the holder of the servitude. There may be cases where objections could properly be raised to the commutation of these rights, and provision is made by Clause 5 that notice of any application shall be intimated to all parties interested, and that any one of those parties may appear before the Sheriff and state objections to the proposed redemption. I do not apprehend that the provisions of the Bill are likely to be taken advantage of by the superior or owner of the *solum* unless the servitudes over it are a serious drawback, as the holders or tenants would have to be compensated very substantially indeed for giving up their rights. It would be for the public good that action should be taken, and the present

The Marquess of Huntly

state of things put an end to; and the holders of the servitude rights will not be prejudiced or injured, inasmuch as they will receive compensation in money or land where it is found desirable that their rights shall be commuted. I must remind your Lordships that lands burdened with these servitude rights are practically stereotyped to remain as they are. If nothing is done to relieve them there will never be any improvement, and they will remain forever abandoned to their present condition. If there exists a right of grazing the proprietor cannot fence his land, cannot plough it or plant it, or improve it in any way. I know of thousands of acres in the North of Scotland which lie under these restrictions, burdensome and practically useless alike to the owner of the *solum* and the person holding the servitude. My Lords, I feel that, without the support of the Secretary for Scotland, it would be impossible for me to carry the Bill at this period of the Session; but I appeal to him to consider whether he cannot see his way to support it, as from all sides I have received a favourable report on the Bill, and I am sure that it is a much needed measure of reform, would be most beneficial, and would meet with general approbation in Scotland. I therefore hope he may see his way to support the Bill of which I now move the Second Reading.

Moved, "That the Bill be now read 2^d."—(*The Marquess of Huntly*.)

***LORD WATSON:** My Lords, whilst I do not quite agree with the noble Marquess in the account which he has given of the origin and position of the rights with which his Bill proposes to deal, I think it involves matters which are well worthy the consideration of the House; but whether, at this period of the Session, there ought to be legislation on the subject is a very different question. In the northern parts of Scotland there are some large tracts of land which are at present not available to the owner, and of not much use to the servitude holder, because of the contrariety of rights and interests arising from that state of affairs, and in such cases the Bill might be useful. I have no doubt that the measure would be popular and beneficial to those parts of Scotland. I think, my Lords, the old law of Scotland with regard to the division com-

monties—which requires the presence of one or more joint proprietors—should be extended to these cases. But having said so much, my Lords, the approval which I can give to this Bill ends. In the Northern parts of Scotland, as I have said, no doubt the measure would be beneficial. But coming further South a very different state of things exists. There are in that part of the country a great number of small feuars and village communities who possess servitude rights of that kind founded upon contract—some ancient, some modern. As far as they are concerned, it appears to me that a very strong case would have to be made out for the interference of Parliament, because I believe that in many cases the existence of the servitude right which each feuar possesses in an undivided portion of land is much more beneficial than division; and I believe also that in many cases where it is to the interest of the proprietor of the servient land to buy out the right which encumbers it its mere money value would be no compensation to those who lose it; and I do not think that a man should be deprived of the right which he has by contract with his superior, and be compelled to deliver it up whenever it becomes to the landowner's interest to require it. The existence of the servitude rights which each tenant possessed was much more valuable than any compensation he would receive for their loss. I think, my Lords, if the Bill were confined to the first class of rights to which I have alluded, it might be a useful measure; but I do wish to say this—that although I am acquainted so far with the facts which bear upon this legislation, I cannot pretend to know them all, and am therefore not prepared to approve of the Bill farther than I have stated. I would suggest to the noble Marquess that this is a Bill which ought to be circulated in Scotland and the terms of it made known, so that those who are in possession of interests which might induce them to oppose the various clauses of the Bill may have an opportunity of presenting their objections to the measure. I think the Bill should have been preceded by some inquiry, and I would advise the noble Marquess, if a Second Reading be granted, not to proceed with the Bill this Session.

THE DUKE OF ARGYLL: My Lords, I desire to say a few words, but only a few words, on a Bill of this character. As far as I can understand it, it is a very useful measure. The existence of these ancient servitudes in Scotland has been a very great inconvenience, and at the end of the 17th century an order was passed with regard to the common-ties which permitted their division. This Bill refers not to common-ties proper, but to something very analogous to them. Throughout a great part of the country these rights have been sold, but in other parts they are undoubtedly a very great inconvenience. It appears to me that this Bill proceeds very much on the lines of our old law on the subject. I did not know that there was enough importance in some of these matters to make it worth while to deal with them. Reference is made to rights of shooting and other rights existing to a small extent in some parts of Scotland, and I was not aware it would be worth while to introduce them into a Bill of this kind; but I am told that in other parts of Scotland there are great numbers of them. I think it is much too late in the Session to proceed with a Bill of this character.

*THE MARQUESS OF LOTHIAN: My Lords, I have listened with much interest to the remarks made by the noble Marquess in support of this Bill. There is no doubt that, as the noble Marquess has said, very great inconvenience is felt in many parts of the Highlands, and in other parts of Scotland, from the existence of these servitudes; but I cannot help thinking that the noble Marquess has scarcely realised the importance of the measure which he presents for your Lordships' consideration. The Bill goes into details in these matters, and in many cases it would materially alter the position of the ownership of land. I believe it to be perfectly true that the questions dealt with by this Bill are confined chiefly to the Highlands; but this Bill applies not only to the Highlands, but to the whole of Scotland; and although in the Lowlands it will probably have but little effect, yet, as the noble and learned Lord has pointed out, the purposes of the Bill might give rise to grave inconvenience. Although I admit the inconvenience to the proprietors of the land, I think the noble Marquess has not quite

realized what the effect of such a measure would be if these practically compulsory powers under the Bill were taken advantage of by the owners of lands over which these rights existed. I come now to the clauses of the Bill, which are the practical clauses—namely, 3 and 4. Clause 3 deals with the question of feal and divot, which the noble Marquess proposes may be taken on compensation by a money payment; and Clause 4, which deals with rights of pasturage, which may be compensated for either by a money payment, or by the giving absolute right of ownership over a part of the land, in exchange for the exercise of limited rights over the whole of it. Take the case of the right of feal and divot. Divot, I may explain to some of your Lordships, is the right of, as it were, skinning the surface of the land and cutting peats horizontally; and feal is that of cutting peats perpendicularly. The value of the right would have to be decided by the Courts or by arbitration. If the proprietor were to apply to the Sheriff to get the value of turbary rights decided by arbitration, the owner of the land must pay the amount fixed; but the owner of the servitude might not be able to get peats elsewhere, which might occasion him the greatest inconvenience. Then there is the right of pasturage; the same considerations would apply to that. In many cases where there are rights of pasturage over an extensive tract the owner of the servitude might have only a small number of sheep upon it. But if he were to get, say, five acres by way of compensation, that could not possibly repay him for the rights he would lose over a large number of acres. The noble Marquess has pointed out cases which I think show what are the objects he has in view where there are rights of servitude over a large tract equally divided between two farmers or landlords. There advantage might be gained, and there would be but little difficulty. But there are many other cases in which that right of pasturage is not at all equally divided, where a very large number of cattle or sheep are turned on by one man in respect of his right of servitude, while some one else might have only a small number of sheep or cattle upon the pasturage. If the small holder were to lose the right he possesses he might only get instead of the right of pasturage over a large number of acres a small money payment,

which could not possibly compensate him for the extent of pasturage which he had under his right of servitude. Those are objections which arise where compulsory power is given by the measure to deal with rights of servitude; but, at the same time, I am very far from saying that the question is not one which is worthy of careful consideration. No doubt it is a very great inconvenience to the proprietors of servient land not to be able to deal with it under existing rights; but I do not think at this late period of the Session it is possible for the Government to undertake to deal with this question or to consider it with a view to legislation. I will, therefore, appeal to the noble Marquess at once to withdraw this Bill, and, as has been well suggested by the noble Lords who have spoken, to have it circulated throughout Scotland, with a view to eliciting opinions from those concerned, obtaining further information as to how far it would assist those to whom it would apply, and whom it is desired to benefit. I will say no more on the present occasion, except that I hope the noble Lord will not press his Motion, but that he will leave the matter now, as some of your Lordships have expressed your views upon it, to be dealt with on some future occasion.

*THE MARQUESS OF HUNTLY: My Lords, I only wish to say, in answer to what has fallen from the noble and learned Lord, that I quite admit the difficulties he has pointed out as regards small tenement feuars in the South of Scotland; but the Bill is framed in this way—that the Sheriff could refuse to entertain an application if he found the parties in respect of such rights were materially injured. Then with regard to the compulsory powers, the only proposition is that the owner or any persons interested may proceed in the matter. As with regard to the commonties, any person interested in the servitude may go before the Sheriff, and it then becomes a question for the Sheriff whether or not he will proceed in the matter; so that really my Lords, there is nothing compulsory in carrying the measure through in this form. But, my Lords, I quite admit that at this period of the Session it is almost hopeless to expect your Lordships to proceed further with the measure. As I understand, if the Bill

be allowed to pass the Second Reading, and withdrawn now, I should be at liberty to reintroduce it next year—I think that was the suggestion.

*THE MARQUESS OF LOTHIAN: I am afraid I cannot assent to that. I must decline to accept the noble Marquess' proposal, because if adopted he will see at once that it would be pledging the Government to the principle of the Bill.

*THE MARQUESS OF HUNTLY: I can assure your Lordships I do not wish to prejudice anybody at all. However, as the noble Lord does not assent to the proposal, I will simply withdraw the Bill.

Motion (by leave of the House) withdrawn.

Bill (by leave of the House) withdrawn.

ADOPTION OF CHILDREN BILL.

(No. 101.)

SECOND READING.

Order of the Day for the Second Reading, read.

*THE EARL OF MEATH: My Lords, I rise to move the Second Reading of this Bill, and I hope your Lordships will accord it this favour. I do not suppose that at this late period of the Session the Bill is likely to pass into law; but I do hope it may go into Committee, so that I may have for the measure the advantage of the advice and criticism which may be afforded in the form of Amendments upon its provisions. The object of the Bill is to prevent parents or other guardians from recovering their children after they have consented to their adoption, unless they can satisfy the Justices that their claim is legitimately made for the benefit of the children. It is a common occurrence for children who have been placed in orphanages or adopted to be subsequently removed by their parents for the sole purpose of deriving pecuniary advantage. It is very injurious, of course, to the interests of the children that they should be removed where the parents or natural guardians are not fitted, either morally or pecuniarily, to have the care of them. It may be thought that in introducing this Bill to your Lordships' House I have the intention of applying it to such cases as that which recently occurred

at Dr. Barnardo's institution which has attracted considerable attention; but I introduced the Bill without any knowledge of the case which occurred in connexion with that institution. In fact, the Bill was framed long before that case was heard of. It originated more than a year ago, when Petitions were sent to me as Chairman of the Parliamentary Social Reform Committee from persons throughout the country who were interested in institutions which took care of destitute children, and who felt the necessity of some law which would enable them to do justice to children and turn them out useful members of society. The attention of Magistrates has long been directed to the abuses to which I refer. My Lords, the subject of this Bill has had the great advantage of having been twice considered by this Committee, and I have had the advice of several Members of both Houses who are interested in the work of rescuing destitute children; and, therefore, I may say with confidence that the greatest care has been taken to avoid all dangers which might have made it impracticable. Of course, we know there must be certain dangers in a Bill of this sort; but if any loopholes have been left in it, or if anything in it may be considered to be wrong, I hope that in Committee those errors may be rectified. It was stated when this Bill was first brought forward that it would lead to proselytism, and clauses have been introduced in order to prevent that, and providing that regard shall be had to the religion of the parents, and all the circumstances which it would be necessary for the Magistrates to know before they could make any order in the matter. Now, my Lords, the attention of Magistrates and persons in a public position has long been directed to the abuses to which I am now calling your Lordships' attention. The authors of these abuses are men and women living, as a general rule, outside the pale of civilization—that is to say, they look upon a child not as a treasure to cherish, not as a hope for the future, but simply as a chattel out of which they can draw the greatest possible pecuniary advantage. When we know that the parents take these children and drag them into every sort of evil and crime for the purpose of getting money to spend in drink, I

think your Lordships will agree there is some need for legislation of this kind. Children are brought up by this class of parents in hostility to all law, and to all notions of morality, and they ultimately form a band of dangerous characters—a band which is increasing in number, and becoming a social danger in our large cities. From this population we may say spring murderers, thieves, and the dangerous classes of society. Benevolent individuals have done their best to rescue these children; but although parents are very willing in the early ages of their children to allow them to be taken into homes, or to be adopted, as soon as they reach an age when the children can be of service to them, and can earn money, they go to the benevolent individuals or homes and claim their children. Now, my Lords, this is a thing which has not been unnoticed in other countries. Other countries have experienced the same difficulty in this matter, and in many places stringent laws have been passed to prevent people taking their children from persons who have adopted them or from orphanages, where they are being properly brought up, in order that they may drive them into a life of crime. In asking your Lordships to read this Bill a second time, I am not asking you to give your consent to any new principle, for it is a principle which has been adopted by many of the most enlightened and civilized countries in the world. In America there are several States which have passed laws relating to this subject. In Illinois there is a most stringent law with regard to it. In the State of New York a law was passed in the year 1884 giving powers to benevolent institutions to request the parents of any child placed in them to sign a document putting the child entirely in their hands, and after that document is signed the parents lose all right to it. Of course, my Lords, I do not ask that that should be done in this country, or that any such result should be obtained except in a Court of Law or before Justices of the Peace. In France only this year a law has been passed on the subject, a very stringent law, much more stringent than any that I am asking you to adopt. The French Government has taken the question up and passed a Bill by which certain classes of malefactors

The Earl of Meath

tors are placed outside the right to exercise or claim any power over their children. In fact, the children are made wards of the State; and they are boarded out, a vote of several millions of francs being taken for the purpose of supporting them. I do not think anything of that kind would be done by either your Lordships' House or by the other House of Parliament; but I do ask your Lordships to say that, with the consent of all parties interested, children may be legally adopted as the Justices at Petty Sessions may consider best, having regard to the religious opinions of the parents, and having regard also to the interests of the children. If the child is over 14 then the consent of the child itself must be given; and in the case of an institution there will be no power of availing themselves of this Act unless they are incorporated under the Companies' Acts of 1862 and 1867; and if the Justices see any cause, on the application of any individual, to alter their decision they may do so at any time. My Lords, it is said that this Bill will enable parents to sell their children or to get rid of them. I do not see that that is a just criticism, because they can do that at this moment if they choose. I deny that this Bill would enable parents to sell their children, or make it less difficult for parents to do so. On the contrary, it would act as a deterrent on parents; and for this reason—that whereas at present they place their children in homes, knowing that they can get them out at a time when they are capable of earning money, they would not under this Bill be able to do that, and consequently they would be less ready to get rid of their children, knowing that they would not be able, unless they could show good cause, to get them from the homes where they were being taken care of in order to make money by them. And now with regard to the children working, and their parents making them work. As a matter of fact, the great majority of parents who claim their children in these cases do not get them back for the purpose of putting them to work in the ordinary sense in which going to work is understood. They get them really for criminal purposes: the boys are claimed in order that they may be taught to steal, and the girls for still

more evil purposes. I can give your Lordships a few instances of actual facts which have occurred within a very short period. In a home for children, quite close to my own house, several instances of that kind have occurred, one of them within the last few days. A little girl was sent into the home, probably only for the purpose of getting her clothing renewed, her clothes being in so filthy a condition that they had to be burned, for hardly had she been supplied with the new clothes before her parents came and said they wanted the child back. In another case, the mother, who had only just come out of prison, claimed her child back because, as she openly avowed, since the child had been taken from her for the purpose of being placed in the home, she found she could not get as much money as when she was dragging the poor infant about the streets with her. Upon making inquiries into the matter, I may mention that I was told that 9d. a day is given for a girl child to drag about the streets, and 6d. for a boy. In another case a girl of 10 was sent for by her father to prevent her going to service, as he said it would pay him better (mind you, she was only 10 years of age) to send her on the streets! Another very bad case was that of a girl, who was telegraphed for, the telegram saying that her mother was dying; but when the girl arrived home she found the whole story was false, and the first question asked of her was whether she had brought her box in order that they might pawn her clothes. A friend of mine on being told there was no demand for such a measure, said he would ask the question of the first two men he met: The first person interrogated was a working man who said—"Why that is the very law we have wanted for a long time; I have refused to allow my wife to adopt a child because I knew it would be taken away from us again whenever it suited the parents." The next spoken to was a middle-class man, and he again told a similar story. His wife's sister dying and leaving a child, and the father being a drunkard, they were exceedingly anxious to adopt the child; but they felt it would be useless to do so if they had to give it up again whenever the drunkard might choose to demand it. In October of last year, a case came before

Sir James Hannen where, after a child had been adopted and clothed, the parents claimed it, and refused to make any allowance to the working people who had adopted it, although they had incurred expense amounting to £12. Sir James Hannen felt the injustice of the case so much that he gave the foster-parents a sovereign out of his own pocket. In that case the mother had been confined in a lunatic asylum, and foster parents for the child were advertised for, and some working people in the North took it on the understanding that they were to have it permanently. They had maintained the child about 18 months, and had got very fond of it, when the mother came out of the lunatic asylum and claimed it. Of course, they had to give the child up without even being able to get paid for the clothes they had provided for it. There is no doubt in my mind that there are a large number of people in this country who are very desirous to obtain children, having no children of their own, and who would be glad to adopt children if only they felt they had a legal claim upon them when they had adopted them.

"A dreary place would be this earth
Were there no little people on it;
The song of life would lose its mirth
Were there no children to begin it."

Many childless men and women are feeling the force of the truth of these lines, and would gladly adopt children if they dared. I know that the Bill has no chance of passing this Session, but I ask that it may be sent before a Committee of your Lordships' House. It might then come back in a shape which would make it acceptable to those who now might be inclined to oppose it. In conclusion, to my opponents I would say—

"If a better system's thine
Impart it frankly, or make use of mine."

Moved, "That the Bill be now read 2^d."—(*The Earl of Meath*.)

THE LORD CHANCELLOR: My Lords, the noble Lord has very frankly admitted that he has no chance of having his Bill passed into law this Session, and the only effect therefore of your Lordships giving a Second Reading to it would be to affirm the principle of it, in order that it may stand to some extent hereafter on that affirmation that it embodies a right and a wise principle.

The Earl of Meath

My Lords, it seems to me, I confess, that there is hardly a single section of this Bill, or a principle of it, so far as I can find a principle at all, to which I should not be entirely opposed. At the same time, I do not in the smallest degree deny that the motives which actuate the noble Lord are of the most praiseworthy character, and that there is to some extent an evil to be remedied. I think, however, he somewhat exaggerates the evil, and, thinking there is a great evil to be remedied, he not unnaturally strives to remedy it by doing what people frequently do, in trying to legislate for particularly hard cases they strike at a much wider principle. The Bill seeks, in dealing with this particular hardship, to alter the whole law of England with reference to the right of parental control. Now, that is one of the cardinal principles of our law, and the notion in connection with such a Bill as this of getting rid of that principle of our law would raise a very serious question indeed. No such change ever should be attempted upon the lines that this Bill is drawn upon; but if attempted at all it must go far wider and deeper, and treat the whole question of the right of parental control as one subject, not striving to pick out particular parts of the right of parental control and dealing with them. I have said that I have some difficulty in ascertaining the principle of this Bill. The only principle I can find in the Bill is that the principle of adoption should be imported into the law of this country, and that the right of parental control should be taken away in certain circumstances. Neither in the one aspect of it nor the other should I assent to a Bill of this sort; but when I come to consider the particular mode in which that principle is sought to be carried out, and the circumstances under which that principle is sought to be established, it is quite clear that the persons who drew this Bill found they were met at every turn by qualifications and restrictions that finally took away the original vigour and force of what they proposed to enact. When a child is adopted, instead of having all the rights of adoption, the framers declared that "nothing hereinafter contained shall confer on the adopted child any incident of blood relationship, right of succession, &c." Why not? If it was a real adoption

why take away that? Again, suppose a child was thrown on the parish, one would have thought in reason and logic that the foster-parent, as he is called in the Bill, would have to pay for it, but he is not to do so. Why not? It has become his child. The object was that the parents were not to be freed from responsibility if the foster-parent was not able to support the child. It is quite clear what has happened. The difficulties which would arise here occurred to the framers of this Bill, because they found that to have carried that out would have destroyed the earlier sections. The authority over the child, and the obligations of the father and mother towards it, would absolutely cease. That is absolutely contradicted by the other sections, because one of the objects contemplated is to provide for the child's maintenance. Then to meet the difficulties that occurred to them the framers of this Bill have introduced provisions which effectually destroy the earlier sections. The whole Bill is ill-considered. The 13th section is the nucleus of the Bill, because it provides that an orphanage, home, or charitable institution may be the foster-parent; and questions as to the child's religious education or control might arise between that institution and the original parent, whom the public feeling of this country would recognize as the person entitled to have a voice in the matter as against some proselytizing Society that had the child in its custody. I do not find the words which the noble Lord has referred to about the religious creed of the child or parents being regarded, because that is one of the points of amendment which he contemplates. But supposing the father and mother change their religion and desire, for example, that instead of being educated in the Protestant faith the child should be brought up as a Roman Catholic—what criterion are the Justices to adopt? Are they to enter into the question whether it would be better for the child to be educated in the one religion or the other? All that is left at large, and it is just the sort of question that would cause a great amount of controversy. Controversies between parents and perhaps proselytizing orphanages or asylums are among the most mischievous things there can be. It seems to me that this Bill is open to every possible

objection in point of construction, and it is open to the gravest objection as altering the whole principle of the law as between parent and child. The Bill, as I have said, is ill-considered according to the theory of its own construction, and is almost incapable of being worked, but besides that, it introduces a most serious innovation on the foundation principles of the law of England with reference to parent and child; and I hope the noble Lord will not render it necessary for me to move that the Bill be read a second time this day three months. I may mention that the evil, which I admit exists, is being considered in connection with the Poor Law Commission; and there is a Bill under the consideration of the Government for the purpose of preventing children deserted by their parents being taken away from the care of the Guardians if it can be shown that the parents, by reason of their bad character, are not persons fit to be entrusted with the guardianship of the children. One word more with regard to the adoption under Clause 14. A child not over 14 might be handed over contrary to its own wishes, and somebody else might be made its foster parent. I hope your Lordships will not encourage a Bill of this kind.

THE EARL OF KIMBERLEY: My Lords, as the noble and learned Lord has alluded to the Report of a Commission over which I had the honour to preside last Session, I must express my great satisfaction at learning that the Government intend to deal with that particular portion of the Report. It was clearly shown to us that this evil existed; that a certain number of children came under the care of the Guardians, were then placed out in an asylum, where they remained for years perhaps under proper control, when suddenly the parents (very often vicious parents), finding that something could be made by withdrawing the children from the institution, or the persons with whom they had been boarding out, took them away. That is a great hardship upon the children, and an injury to them, and it seems to me a very proper subject for legislation, though it would require to be very guarded. With regard to the Bill itself, I must say I entirely agree with what has been said by the noble and learned Lord on the Woolsack. I cannot see that it is ne-

cessary to make such an extensive alteration in the law of this country, and I think if a change were made it should not be made in the manner contemplated by this Bill. There is one clause—namely, the 11th—on which I should greatly support the argument of the noble Lord. By the 11th clause the order made can be rescinded, so that after the foster parents have adopted the child, and have maintained it as their child for it may be years, an application may be made by the parents to rescind the order. Consider what may follow. Exactly the same thing may arise in that case which has given rise to so much controversy in other cases. The parents may have changed their minds on the subject of religion, or they may be instigated by other persons to bring the matter before the Justices of the Peace. Then arises the question, is a Justice of the Peace a proper person to decide difficult questions of that kind? I entirely agree with the noble and learned Lord that the objects which the noble Lord has in view are excellent; but I do not think it is desirable that we should give our consent to the Second Reading of this Bill, looking at the general nature of it and the period of the Session, thereby committing ourselves to a principle which goes far beyond what the necessities of the case demand. I hope, therefore, the noble Lord will feel induced not to press the Motion.

***LORD FITZGERALD:** My Lords, I would also ask the noble Lord to withdraw this Bill. I am sure his motives are most praiseworthy, but my objections to the Bills are founded on principle. Adoption is wholly unknown to the law of England. I could understand the introduction of a law of adoption such as exists in India, under which the person adopted becomes the child of the foster parents for all purposes, so that even if children are afterwards born to the foster parents the adopted child shares in the inheritance equally with such other children. There is sense in that arrangement, and some degree of justice, although it frequently leads to the greatest difficulties, quarrels, and litigation. I must not be taken as recommending to my noble friend the Hindu law of Adoption. For many years of my life I had to administer laws which gave rise to questions similar to those

which would grow out of the alterations of the law proposed by this Bill. Questions between religious litigants give rise to difficulties such as would have to be dealt with under the 13th section of the Bill. My colleagues and I came to the conclusion that there was nothing like adhering to and enforcing parental authority. The law of England generally is that parents cannot divest themselves of parental rights or of the obligation to look after their children. The noble Earl spoke of traffic in children and how desirable it would be to put a stop to it. The direct and necessary tendency of this Bill would be to create that very traffic which the noble Lord seeks to destroy. Whilst in the case of a child who had parents certain questions would be asked and the Magistrate would exercise his judgment upon the facts, in the case of the unfortunate child who had no parents there would be no inquiry at all, and the child would be handed over as a matter of course to the foster parent, or the person assuming the position, as, for instance, one of those institutions which would spring into existence on all sides if this Bill were passed. In practice, when I had to administer laws somewhat cognate, where the child was of sufficient age and intelligence, I always ascertained by careful and anxious inquiry what the wishes of the child were, and I am thankful to say that in that way I think succeeded in maintaining the law for the benefit of the children. I consider this Bill fraught with danger contrary to the laws and institutions of this country; and that it ought not to be readily adopted. Especially your Lordships ought not at this period of the Session to agree to the Second Reading, with no object but to get what must necessarily be an imperfect examination of the details in Committee. I think the noble Earl had much better withdraw the Bill, and, if he should think fit, introduce it again freed from its many defects and founded on a sounder basis than at present.

***LORD DENMAN:** This Bill was down for a Second Reading on July 8th, and opposed by a noble and learned Lord, who would oppose it if referred to a Grand Committee. I hope that it will be read a second time. If it be referred to the Committee on Law, it must afterwards be re-committed to the Whole House; and if it is re-committed

The Earl of Kimberley

to a Committee of the Whole House, I do not believe it could be sent back to the Committee on Laws. I can see there is a struggle to give that Committee power over all Bills. The Bill is an experiment, and I have very great doubts of its success. As an old Member of this House, I say the sooner you get out of the present system of referring Bills to many Grand Committees, and return to a more suitable one, the more you will be honoured by the country and the world.

***LORD KINNAIRD**: My Lords, I will not detain you with more than a few words. I regret the course which the noble and learned Lord on the Woolsack has thought it necessary to take with regard to this Bill, which I consider a very useful one; but I presume, after his speech, that Lord Meath will not press the Bill further at this time. Referring to the Bill which the noble and learned Lord on the Woolsack has stated is under the consideration of the Government, I hope it will prove a useful measure, by enabling the managers to retain control of the children after leaving the Poor Law Schools. It would be a great help to the managers of those schools. I would ask, with regard to certain private schools which are under Government inspection, whether they could not be put upon the same footing as the Poor Law Schools? Many of them have been at work for a long time, and have contrived to keep numbers of children out of the Poor Law Schools. We think it a pity to brand a child perpetually as having been a Poor Law scholar, and it would be a matter for regret if the operation of such a Bill as this should be to send children to those schools. In one country where these questions have been made the subject of legislation, there is a very useful law that no parent should resume the right to a child where it has been left for a certain number of years to be supported by a public institution without refunding the cost of the child's education. The way that works is, that a parent thinks twice before he becomes liable to pay a sum of £20, or it may be £60. Many children are, therefore, left under the charge of foster parents, or in an institution without interference, until they are able to take care of themselves. I hope the Government will be able to add some clauses to the Bill which the

noble and learned Lord has mentioned with reference to the Poor Law Schools, in order to provide that those schools only are to be used which are thoroughly efficient, and that they will have regard to the interests of the public any measure which may be introduced on the subject.

THE LORD CHANCELLOR: I only desire to explain, what I said was that the matter is under the consideration of the Government in the form of a Bill. I do not give any pledge in regard to the particular form the Bill will take. I think it would be irregular for me to do so, either for myself or for the Government.

LORD NAPIER OF MAGDALA: My Lords, it is impossible not to be struck with the very great number of children apparently in need of protection; and it seems only reasonable that where parents are unable to bring up their children properly, they should be enabled to place them in the care of others who are able to support them. I trust the noble Lord will not be discouraged in his benevolent intentions.

***THE EARL OF MEATH**: My Lords, I am delighted to hear that the Government acknowledge there is an evil to remedy, and I am also pleased to know that they have some intention, at all events, of considering whether they can diminish that evil in one particular line. But that line in regard to Poor Law Unions is only a small line, and I hope the Government will not forget the claims of other institutions. It appears to me that the suggestion of the noble, Lord Kinnaird, is worth consideration, and I hope your Lordships will think this matter over, and kindly give any assistance that you may think necessary by way of amendment.

Motion (by leave of the House) withdrawn.

Bill (by leave of the House) withdrawn.

CANADA (ONTARIO BOUNDARY) BILL. (No. 151.)

SECOND READING.

Order of the Day for the Second Reading read.

***LORD KNUTSFORD**: My Lords, I have only to say that part of the

boundary has been settled by a decision of the Judicial Committee of the Privy Council part has been settled by an old Proclamation of 1791, and part by agreement. The boundaries are now set out in an Address from the Legislature of Canada which is scheduled to this Bill, to which I ask your Lordships to give a Second Reading.

Read 2^a (according to order), and committed to a Committee of the Whole House on Thursday next.

BILLS OF SALE BILL (No. 150).

House in Committee (according to order; Bill reported without Amendment; and to be read 3^a on Thursday next.

WESTERN AUSTRALIA CONSTITUTION BILL (No. 125.)

THIRD READING.

Order of the Day for the Third Reading, read.

THE EARL OF FEVERSHAM: My Lords, I should like to say a few words on this Bill with regard to handing over the Crown lands in the northern portion of the territory of the colony to a small population of 40,000 inhabitants. I should like to ask the noble Lord the Secretary for the Colonies whether the Bill follows the lines of former legislation for the Colonies? At the same time, I believe there is no previous instance of handing over such an enormous territory, as is now proposed to be handed over, to the responsible Government of the colony. I protest against such a large tract of territory being so handed over.

***LORD KNUTSFORD:** My Lords, I shall not venture to trouble your Lordships with a re-statement of the arguments which I adduced yesterday, but I will shortly answer the noble Earl's question. With regard to the question whether a precedent exists, I may inform the noble Earl that in Queensland we handed over an equally large area to a population of only 28,000, whereas the population of Western Australia is over 40,000. I may also point out that, under the system of representative Government, the people of Western Australia have practically had the control of these lands for many years, and that, as I have already shown, their

policy has been in favour of immigration. There is no reason to doubt that that policy will be continued, and that, as in the case of Queensland and the other Australian Colonies, after Responsible Government had been granted to them, immigration will steadily increase. As regards the land which is to remain under the control of the Colonial Government, I may remark that by far the largest part of it is unfitted for agriculture; and it will be remembered that all the land in the northern part of the colony is to remain under Crown management and control.

***THE EARL OF MEATH:** My Lords, I must say that I also protest against the handing over of this enormous territory to 40,000 people. If we hand over all the Crown lands to our Colonies the result will be that the Colonists will say, "We do not want any more people to come here; we want the land for ourselves." Let me ask your Lordships to consider what you are going to do in this matter. A Committee has been appointed in the other House for the purpose of considering colonial questions, and yet your Lordships are going to hand over this enormous tract of country at once to a small population no larger than that of a country town. I do hope, my Lords, some action will be taken to stop it.

THE EARL OF KIMBERLEY: The noble Lord has said there is a precedent for this. I do not think he has quite correctly understood what has taken place in the other colonies. I would point out to him that the population of New South Wales is at least 1,000,000, the population of Victoria is 1,000,000, and the population of New Zealand 600,000. In New Zealand the Government had for a long time encouraged immigration, and had paid the cost out of the public funds, because there was nothing they were so anxious for as to increase the white population. A colony in its infancy will always be found to be most anxious to obtain as many immigrants as possible; but when they have a million or so of white inhabitants you will find they no longer desire to receive the labouring class of immigrants. I would ask the noble Lord whether he thinks any Minister or Government in this country would ever undertake to advise Parliament to send emigrants to a colony whether the colonists desired it or not?

Lord Knutsford

I venture to say that no Government would be so insane.

THE EARL OF FEVERSHAM: That, I think, is an argument against handing over so large a territory at once.

THE EARL OF KIMBERLEY: To interfere with the colonists in this matter is practically telling them that they cannot colonize their own lands. It will always be found that the colonists on the spot can best assist immigration and promote the colonization of lands adjoining those already colonized. Even large tracts of country are better managed and dealt with by colonists on the spot. If it is desired to send out emigrants, that can best be done with the assistance of the colonists themselves, and when they have obtained a large population you will find they will colonize the adjoining lands themselves.

Bill read 3^a (according to order); an Amendment made; Bill passed, and sent to the Commons.

THE STATION-MASTER AT BANGALORE.

QUESTION. OBSERVATIONS.

***LORD STANLEY OF ALDERLEY,** in putting the question which stood in the Notices, to ask the Secretary of State for India whether the gallant conduct of Mr. Smaller, the station-master at Bangalore, in rescuing a Hindoo woman from being run over by a train has received any recognition from the Madras Government, said: I have only to add that the newspapers had stated that the woman was only 11 yards from the engine when she fell off the platform, and that there was much more risk in this case than there would be in jumping into a river.

***THE SECRETARY OF STATE FOR INDIA (Viscount Cross):** I have pleasure in stating that the Government of Madras have passed the following Resolution on the case referred to—

"His Excellency the Governor in Council views with high approbation the signal bravery displayed by Mr. Smaller, who by his prompt and courageous act saved life at the imminent risk of his own. His Excellency in Council is pleased to sanction the grant to that official of a reward of 200 rupees, the highest amount which it is in the power of Government to sanction."

I have only to add that in this commendation and award I heartily and entirely concur.

PUBLIC TRUSTEE BILL (No. 127.)

Amendments reported (according to order); and Bill to be read 3^a on Thursday next.

BOARD OF AGRICULTURE BILL

(No. 125.)

Reported from the Standing Committee for General Bills, with Amendments; the Report thereof received; Bill re-committed to a Committee of the Whole House on Friday next; and to be printed as amended. (No. 162.)

ADVERTISEMENT RATING BILL

(No. 124.)

Reported from the Standing Committee for General Bills, with Amendments; the Report thereof received; Bill re-committed to a Committee of the Whole House on Friday next; and to be printed as amended. (No. 163.)

AUDIT (ARMY AND NAVY ACCOUNTS) BILL.

Brought from the Commons; read 1^a, and to be printed. (No. 164.)

WINCHESTER BURGESSES (DISQUALIFICATION REMOVAL) BILL. (No. 137.)

Reported from the Standing Committee for Bills relating to Law, &c. without amendment, and re-committed to a Committee of the Whole House on Friday next.

BRIBERY (PUBLIC BODIES) PREVENTION BILL—*NO* BRIBERY (PUBLIC BODIES AND OFFICERS UNDER THE CROWN) PREVENTION BILL.

(No. 90.)

Reported from the Standing Committee for Bills relating to Law, &c., with Amendments: the Report thereof received; Bill re-committed to a Committee of the Whole House; and to be printed as amended. (No. 165.)

MASTER AND SERVANT BILL. (No. 111.)

Reported from the Standing Committee for Bills relating to Law, &c., without amendment, and re-committed to a Committee of the Whole House.

COUNTY COURT APPEALS (IRELAND) BILL. (No. 104.)

Reported from the Standing Committee for Bills relating to Law, &c.,

with amendments: the Report thereof received; Bill re-committed to a Committee of the Whole House; and to be printed as amended. (No. 166.)

House adjourned at Six o'clock, to
Thursday next, a quarter
past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 16th July, 1889.

QUESTIONS.

SCOTCH "BOYCOTTING."

DR. CAMERON (Glasgow, College): I beg to ask the Lord Advocate whether his attention has been called to a statement in the *Scottish Highlander* to the effect that Sir John Orde has not only deprived Mr. Thomas Wilson, a solicitor, who had refused to act for him in certain proceedings against his tenantry, of his house at Lochmaddy, but "warned all the tenants about Lochmaddy that they must not give lodgings," thus driving him from the district in which he had established a practice; and, whether any Law against boycotting or exclusive dealing exists in Scotland; and, if so, whether he will instruct the Criminal Authorities to inquire into the facts alleged in Mr. Wilson's case with a view, if they prove well-founded, of instituting criminal proceedings?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I have seen the statement in the *Scottish Highlander* referred to. I am informed that in October, 1888, Sir John Orde intimated to the tenant of the house which Mr. Wilson occupied that he required to resume possession of the house at Whitsunday. I am further informed that for many years Sir John Orde has objected to his tenants keeping lodgers, and, probably, this has made it a matter of some difficulty for Mr. Wilson to find accommodation. I am not aware that he has been driven from the district. As a matter of fact, he was resident on the island a few weeks ago. If Mr. Wilson has any complaint to make, in-

volving a criminal charge, he should inform the Procurator Fiscal, who will make inquiry and proceed if a charge is substantiated.

DR. CAMERON: The right hon. and learned Gentleman has not answered the last part of the question.

*MR. J. P. B. ROBERTSON: That involves an abstract question of law, which I am not prepared at this moment to enter into. I have answered the question, which I understood to relate to a specific case.

SEIZURE OF NETS.

MR. FRASER-MACKINTOSH (Invernessshire): I beg to ask the Lord Advocate whether he is aware that the nets of Donald Maclellan and John Cameron, fishermen and crofters in North Morar, were seized in the open waters of Loch Nevis, Invernessshire, on the night of 4th, or early in the morning of 5th, July current, by the head keeper of the proprietor of Knoydart, accompanied by a policeman and several assistants; whether it is the fact that by the 29 Geo. II., c. 23, white-fishing is open on the coasts of Scotland; and, whether, if the circumstances above detailed are correct, he will take steps to punish the wrongdoers for their forcible seizure of property?

*MR. J. P. B. ROBERTSON: The facts are as stated by the hon. Member, except that the men were fishing within the limits of an estuary for salmon, and not for white fish. I am informed that they are to be proceeded against for a contravention of the Act 7 and 8 Vict., c. 95.

SIR JOHN ORDE.

MR. FRASER-MACKINTOSH: I beg to ask the Lord Advocate if Sir John Orde, Baronet, proprietor of North Uist, corresponded with the Sheriff of Invernessshire, or his substitute in the Long Island district, or the Procurator Fiscal of that district, with the view of compelling Mr. Thomas Wilson, Solicitor, Lochmaddy, either to act for Sir John Orde in certain proceedings against his crofters, which Mr. Wilson deemed unjust, or to have Mr. Wilson removed from an office he held in connection with the Procurator Fiscal; and, whether he will lay a copy of the correspondence upon the Table of the House?

*MR. J. P. B. ROBERTSON: It appears that in April of last year Sir John Orde wrote to the Sheriff relative to some crofter cases then in progress, in which Mr. Chisholm, the Procurator Fiscal, and Mr. Wilson, who was then his partner, were interested. The Sheriff, considering it undesirable that a firm of which the Procurator Fiscal was a partner should act in such cases, instructed them to that effect. Mr. Chisholm eventually agreed to give up such cases, but Mr. Wilson refused, and Mr. Chisholm consequently severed his connection with him. I cannot lay this correspondence on the Table. It relates to the arrangements for carrying on the criminal business of the district; and I may add that I approve of the Sheriff's action in the matter.

THE CROFTERS' COMMISSION IN NORTH UIST.

MR. MACKINTOSH: I beg to ask the Lord Advocate whether his attention has been directed to the report of proceedings before the Crofters' Commission in North Uist, and particularly to the application of the crofters of Malaglate for an enlargement of their holdings from the adjoining farm of Vallay from which it appears that the proprietor of North Uist, Sir John Orde, baronet, resisted the application before the Commissioners, stating that he had ceased to be the proprietor of Vallay, but according to the reply of the applicants Sir John Orde had, since the passing of the Crofters' Act of 1886, made a gratuitous, or what is termed in Scotland "a nominal and fictitious," transfer of the farm to his eldest son and apparent heir; and, whether he will amend the Law as to extension of holdings, so as to prevent evasions of its intention?

*MR. J. P. B. ROBERTSON: The notice of this question was the first intimation I had of the subject. On inquiry I have ascertained that the application of these crofters for an enlargement of holding is at present under the consideration of the Commission. I must, therefore, decline, in the meantime, to answer the question.

THE SUTTON WATER COMPANY.

MR. JOHN KELLY (Camberwell, N.): I beg to ask the President of the Local Government Board whether his

attention has been called to the statement recently made by a member of the Sutton Local Board, to the effect that 18 wells in the immediate proximity of the wells of the Sutton Water Company, one at the distance of only a few yards, had been converted into cesspools; whether he is aware that Dr. Dupré has reported the water supplied by the Sutton Water Company to be inferior to that taken from a well in the vicinity, at the top of Banstead Downs; whether, in view of the fact that the records in the Local Government Board office prove that disastrous outbreaks of enteric fever have been caused through the specific contamination by excremental matter of public water supplies, he proposes to take any and, if so, what steps for the protection of the public health in the district supplied by the Sutton Water Company from the great dangers threatened by the cesspools in question; and, whether he has any intention of introducing any legislation with a view of assisting local sanitary authorities to put an end to the monopolies enjoyed by such Water Companies as may show themselves indifferent to the health interests of the districts supplied by them?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. RITCHIE, Tower Hamlets, St. George's): I have communicated with the Sutton Local Board, who inform me that there are wells, some on the sand and others on the chalk, which have been converted into cesspools. In one or two cases, on notice from the Local Board, the owners have cleaned out and filled up the cesspools; and the Local Board state that they are endeavouring to reduce the number so as to preserve the purity of the water supply. Analyses of the water were made between January and March of last year; but none have been made since. The Local Government Board have for a long time been urging the Local Board to provide sewers, and as the Local Board show no disposition to perform this duty they have, after local inquiry, been declared in default by the Local Government Board. As its order was not complied with application was made to the High Court for a *mandamus*. This came before the Court in May, when the Local Board made excuses for delay and obtained an extension of time. If it is necessary

sit for the Queen's Scholarship Examination in July should be in possession of the class list before the end of September; whether those of Her Majesty's Inspectors of Schools, who attended the scholarship examination, have been instructed to advise candidates who have not completed their fourth year to be prepared to sit at the fourth year examination in October next; and, whether, with a view to obviate the necessity for such examination in certain cases, he will, with the large staff at his disposal in his Department, cause the results of the recent scholarship examination to be published before the 30th September?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): I am not aware that any such promise has ever been made, nor have Her Majesty's Inspectors been instructed to tender the advice described in the second part of the question; but it is the wish of the Department, and I have no reason to doubt that it will be realized, to publish the results of the July examination before the collective examination of pupil teachers held in October. This has been done for the last two years.

DEATH FROM VACCINATION.

MR. SUMMERS (Huddersfield): I beg to ask the President of the Local Government Board whether his attention has been called to the circumstances attending the death of Emily Maud Child, aged six months, in the Leeds' Infirmary, on the 1st instant, and to the finding of the Coroner's Jury, to the effect that "the deceased died from syphilis, acquired at or from vaccination;" and, whether it is his intention to institute any inquiry into this case?

*MR. RITCHIE: My attention has been called to the circumstances attending the death of the child referred to, and to the finding of the Coroner's jury. I have directed an inquiry to be made into the case.

BURIAL BY MISTAKE.

MR. PICKERSGILL (Bethnal Green, S.W.): My hon. Friend the Member for Whitechapel (Mr. Montagu) has given notice of the following question: To ask the President of the Local Government Board whether his attention

has been called to the following facts: Mrs. Toop, an inmate of the Whitechapel Infirmary, died there on Tuesday last, and her friends forthwith made arrangements for the funeral; but when the undertaker called at the Infirmary a body, which was not that of Mrs. Toop, was offered to him; and the friends of the latter, in spite of repeated applications, have not been able to obtain delivery of her body, which, it is understood, has been buried by mistake; and whether he will point out to the Guardians of the Whitechapel Union that it is their duty to recover the body of Mrs. Toop, and hand it over to her friends? My hon. Friend desires me on his behalf to postpone the question until Thursday; but, in the meantime, I hope, in view of the urgency of the case, that the right hon. Gentleman will lose no time in inquiring into it.

*MR. RITCHIE: I sent a special messenger this morning to the Whitechapel Board of Guardians, but as yet have received no reply.

MR. PICKERSGILL: May I ask the Home Secretary whether any application has been made to him for authority to exhume the body of Mrs. Toop?

MR. MATTHEWS: No such application has come under my personal notice.

USIBEPU.

MR. THOMAS ELLIS: I beg to ask the Under Secretary of State for the Colonies whether the Chief Magistrate, to whom the question of Usibepu's discharge from the preliminary examination by the Resident Magistrate has been referred to for further consideration, has power, under the law of Zululand, to decide whether Usibepu should be prosecuted or not; and, whether, after so deciding, he would also be the Magistrate who would sit as judge and jury to try Usibepu in the event of a prosecution being instituted?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. DE WORMS, Liverpool, East Toxteth): The question whether Usibepu should be prosecuted by the Crown will be one for the Governor to decide; and if a prosecution is ordered he would also decide whether there is any ground for providing a special tribunal in lieu of that prescribed by the law of Zululand.

Mr. Comway

—namely, the Chief Magistrate and two other Magistrates.

THE ETSHOWE COMMISSION.

MR. THOMAS ELLIS: I beg to ask the Under Secretary of State for the Colonies whether Sir Arthur Havelock has brought with him a Report of the proceedings of the Special Judicial Commission which was opened at Etshowe, in Zululand, in November 1888, and finished its work in April 1889, by passing sentences of imprisonment of 10, 15, and 12 years on Dinizulu, Notabuko, and Tshingana; and, if so, how soon the Report will be laid before Parliament?

BARON H. DE WORMS: The second portion of the Report of the proceedings of the Special Commission subsequent to December last has not been brought home by Sir A. Havelock, as it was not completed when he left Natal. It is expected to be in the hands of the Secretary of State at the beginning of August, when it will be presented to Parliament with the least possible delay.

DR. CLARK (Caithness): When will the Papers in continuation of the South African Papers be presented?

BARON H. DE WORMS: They were presented a fortnight ago.

IRELAND—MR. GILL AND MR. COX.

MR. ARTHUR WILLIAMS (Glamorgan, S.): I beg to ask the Solicitor General for Ireland whether he will procure and lay upon the Table of the House a Copy of the depositions of Police Constable Robinson in the trial of Messrs. Gill and Cox, at Drogheda, on the 8th instant?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): The course suggested by the hon. Member is entirely contrary to the practice in such cases, and I am therefore unable to accede to it.

In reply to a further question by Mr. A. Williams,

MR. MADDEN said: The hon. Gentleman puts a question to me in reference to matters of detail which it is perfectly obvious I cannot answer without notice. I must have an opportunity of ascertaining what the facts are.

MR. A. WILLIAMS: Then I beg to give notice that I will ask further questions on the subject on Thursday.

MR. SEXTON: Has any action been taken in view of the fact that the Magistrates dismissed the charge against my hon. Friends on the ground that they disbelieved the sworn evidence of the constable?

MR. MADDEN: If the right hon. Member wishes to know whether any action has been taken against the constable he must give notice.

MR. BRADLAUGH (Northampton): May I ask whether the hon. and learned Gentleman means to say that it is against the precedent of the House to lay on the Table sworn affidavits in proceedings against Members of Parliament?

MR. MADDEN: No, Sir; I did not say there was no precedent for it, but it is contrary to the usual practice.

THE NEWFOUNDLAND FISHERIES.

MR. WILLIAM REDMOND (Fermanagh, N.): I beg to ask the Under Secretary of State for the Colonies whether any complaints have been made of French interference with the fisheries of Newfoundland; and, whether representations have been made to the Colonial Office on this subject by both Houses of the Newfoundland Legislature?

BARON H. DE WORMS: The answer to the hon. Member's question is in the affirmative, and the representations on the subject are receiving the careful attention of Her Majesty's Government. There are also representations on the part of the French on points connected with their rights of fishery in Newfoundland waters; but, on the whole, during the present season the fishing operations appear to have been conducted without the occurrence of any serious difficulties.

ROYAL GRANTS.

MR. COBB (Warwickshire, S.E., Rugby): I beg to ask the First Lord of the Treasury whether, before any measure is introduced having reference to Royal Grants, the proceedings and evidence before the Committee now sitting will be printed and distributed among Members of the House?

***THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster):** Well-established precedents will be followed, and the Report of the Committee will be laid before

*MR. HOZIER (Lanarkshire, S.) moved in page 22, line 16, after "account," insert—

"Provided that no person shall be liable to be surcharged under the provisions of this section so far as his actings have been authorized by the County Council."

MR. J. P. B. ROBERTSON opposed the Amendment.

Question, "That those words be there inserted," put, and negatived.

MR. J. P. B. ROBERTSON moved in line 27, to leave out "Council," and insert "auditor."

Question, "That 'Council' stand part of the Clause," put, and negatived.

Question, "That 'auditor' be there inserted," put, and agreed to.

MR. J. P. B. ROBERTSON moved in line 28, after "same," to insert,

"And the county council shall reimburse him for his expenses, including a reasonable allowance for his time in so far as not recovered from the person surcharged."

Question, "That those words be there inserted," put, and agreed to.

MR. J. P. B. ROBERTSON moved in page 23, line 2, after "Scotland," insert,

"Provided that if the Secretary for Scotland shall so determine, such abstract may come in place of and render unnecessary a return of the receipts and expenditure of the county council in pursuance of 'The Local Taxation Returns (Scotland) Act, 1881.'"

Question, "That those words be there inserted," put, and agreed to.

Clause 36, as amended, agreed to.

Clause 37 agreed to.

Clause 38.

MR. J. P. B. ROBERTSON moved—In page 23, line 31, after "seal," add—

"All deeds granted by a county council shall, in addition to being sealed, be signed by two members of the council and by the county clerk."

Question, "That those words be added," put, and agreed to.

*MR. HOZIER moved after the words last inserted to add—

"And under that name may sue or be sued, purchase, take, hold, and dispose of lands and other property for the purposes of and subject to the provisions of the Acts of 1889."

MR. J. P. B. ROBERTSON opposed.

Question, "That those words be there added," put and negatived.

Clause 38, as amended, agreed to.

Clause 39.

Amendment proposed, in page 23, line 36, after "loan," insert—

"Provided that nothing in this Act shall derogate from the provisions of the Contagious Diseases (Animals) Acts in regard to the appointment on Committees under the said Acts of persons not being members of the local authority thereunder."—(Mr. J. P. B. Robertson.)

Amendment agreed to.

MR. DONALD CRAWFORD (Lanark, N.E.): I beg to move an Amendment to enable the County Council to fix its place of meeting. If some such words are not inserted a Council might find itself restricted to the county town, which might not be convenient.

Amendment proposed, Clause 39, page 23, line 37, after (2), insert—

"The county council shall have power to fix from time to time the place of meeting of the council and of the district committees."—(Mr. Donald Crawford.)

Question proposed, "That these words be there inserted."

MR. J. P. B. ROBERTSON: I have no objection to the substance of this Amendment, as I know the object the hon. Member has in view. That object, however, is provided for in a sub-section which will come on later which gives the County Council power to make regulations as to time and place of meeting.

MR. MARJORIBANKS (Berwickshire): I certainly think that some clear statement as to this power of fixing the place of meeting should be made. The sub-section the right hon. and learned Gentleman refers to does not quite cover it. The county town is fixed by statute as hon. Gentlemen are aware, and it is very desirable that the Councils should be enabled to vary the place of meeting.

MR. J. P. B. ROBERTSON: Surely the words "power to make regulations as to the place of meeting" cover the case in point.

Amendment, by leave, withdrawn.

Other Amendments made.

Clause agreed to.

Clause 40.

Amendment proposed, Clause 40, page 25, line 13, leave out "a second or," and after "vote," insert "as well as a deliberative vote."

Amendment agreed to.

Clause 40 agreed to.

Clause 41.

Amendment moved, Clause 41, page 25, line 17, leave out from "all," to "expenses," in line 29, and insert—

"Subject to such rules and regulations as the county council may, from time to time, appoint."—(*Mr. Hosier.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. J. P. B. ROBERTSON: We cannot accept this Amendment. All payments beyond the normal expenditure of the Council will require deliberation on the part of the Members. There should be no authority given for payments above £50 or for anything beyond payments which fall as a matter of course, and which are necessary to keep the thing going.

Amendment, by leave, withdrawn.

Clause agreed to.

Clause 42.

Amendment proposed, Clause 42, page 26, line 42, at end, add—

"(10.) For the purpose of this section Town Council shall include police Commissioners of a burgh or police burgh."—(*Mr. J. P. B. Robertson.*)

Agreed to.

DR. CAMERON (*Glasgow, College*): It is proposed under this clause that where there is an equality of votes for the chairmanship of a Joint Committee the chairman shall be chosen "by lot." I do not know if there is any precedent for that method of solving the difficulty. I do not say it is not an excellent method, but I would suggest that words should be inserted to show how the lot is to be taken—whether by the toss up of a coin of the realm or how. I am not aware of any statutory regulations applicable to this system of deciding questions, and if we do not have the matter properly defined we may be landed in difficulty.

MR. CALDWELL (*Glasgow, St. Rollox*): There is a religious body in Scotland called the Reformed Presby-

terians who object to the drawing of lots, except in very rare cases.

MR. J. P. B. ROBERTSON: I have been in communication with the Reformed Presbyterians, and I do not think their scruples are invulnerable. As to the suggestion of the hon. Member for the College Division of Glasgow (*Dr. Cameron*), I should have thought it would be better to leave the method of choosing by lot to the County Councils themselves. If they are not able to decide such a matter I am afraid that the capacity of these elected bodies will be less than we have been led to expect.

DR. CAMERON: Is it to be three tosses of a penny, or what? Unless you lay down some principle it will be utterly impossible to proceed. The proposal is altogether novel. I never heard of such a thing as the Chairmanship of a Joint Committee formed by statute having to be decided by lot. There does not seem to me to be any necessity for it. You might decide that the person who has received the largest number of votes, or who has been longest elected, should act as chairman. Anything would be better, it seems to me, than this rough and ready method you are proposing to meet a difficulty which will not often arise. I propose to leave out the words "by lot," in order to insert "as hereinafter provided." This will give the Lord Advocate an opportunity of dealing with the matter later on.

Amendment moved, in page 26, line 28, leave out the words "by lot" in order to insert the words "as hereinafter provided."—(*Dr. Cameron.*)

Question proposed, "That the words 'by lot' stand part of the Clause."

The Committee divided:—Ayes 156; Noes 116.—(*Div. List, No. 210.*)

Clause agreed to.

Clause 43.

Amendment proposed, Clause 43, page 27, line 11, after "divisions," insert—

"Provided always that such division into districts for the purposes of the management and maintenance of highways shall not be made if it shall appear to the County Council unnecessary or inexpedient."—(*Mr J. B. Balfour.*)

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: If the right hon. and learned Gentleman would

accept some modification of the Amendment there would be no objection to it. He does not desire that it shall be left to the discretion of the County Council in all cases to make a division, but merely when owing to the size of the county it is unnecessary and inexpedient. Perhaps he would not object to add the words, "owing to the size of the county."

MR. J. B. BALFOUR (Clackmannan, &c.): I should be quite ready to make that addition to the Amendment. The right hon. Gentleman has exactly gauged the sort of case I desire to deal with.

Amendment proposed to the proposed Amendment to add at the end thereof, "owing to the size of the county."—*(Mr. J. P. B. Robertson.)*

Question, "That those words be there added," put, and agreed to.

Amendment, as amended, agreed to.

Clause agreed to.

Clause 44.

DR. CAMERON: I had put down a similar Amendment to that of the hon. Member for Dumbarton (Sir A. Orr-Ewing), but it did not seem to me that that would be the best place to raise the question. To put in two members from every parish would only be to swamp the representatives of the Council. As the hon. Member for Dumbartonshire (Sir A. Orr-Ewing) has not moved the Amendment he has placed upon the Paper to reduce the number of Parochial Board representatives from two to one, I beg to move the omission altogether of the provision in reference to the representation of the Parochial Boards.

Amendment proposed, in page 27, line 19, to leave out the words after the word "district," to the end of Subsection 1.—*(Dr. Cameron.)*

Question proposed, "That the words 'together with' stand part of the Clause."

DR. CLARK (Caithness): For my part, until we have some satisfactory scheme from the Government before us, in reference to the constitution of Parochial Boards, I cannot consent to allow them to draw a blank cheque.

MR. J. C. BOLTON (Stirling), supported the Amendment.

Mr. J. P. B. Robertson

MR. J. P. B. ROBERTSON: Perhaps it is desirable that I should state at once what the intentions of the Government are. I hold in my hand a Paper containing our provisional proposals as to the number of County Councillors for each Council in Scotland, a copy of which I shall be happy to furnish to hon. Members. The proposal is that the total number for the county of Lanark shall be 90, Fife 60, Argyll 57, Renfrew 55, Ross and Cromartie 55, Inverness 55, Aberdeen 54, Ayr 54, Perth 50, Stirling 45, Dumbarton 40, Roxburgh 36, Banff 36, Dumfries 34, Berwick 34, Edinburgh 31, Forfar 30, Caithness 30, Kirkcudbright 27, Haddington 25, Elgin 25, Wigtown 28, Linlithgow 23, Letland 22, Kincardine 21, Orkney 21, Peebles 20, Bute 20 Clackmannan 20, Sutherland 20, Selkirk 20, Nairn 20, and Kinross 20. The administration of these district committees will be strictly limited to roads and public health. As regards the roads, hon. Members know that local knowledge is very important, and that on the whole the administration has hitherto been satisfactory. The roads have been managed by district committees elected by the various parishes. We propose to abandon that method, but at the same time it is obvious, having regard to the question of economical administration, that the parishes should continue to be properly represented. If the Committee are of opinion that two parochial representatives are too many let us have one. For my own part I think there ought to be upon the District Committee a sufficient number of persons locally acquainted with the requirements of the county. The advantage of the scheme we propose is that we combine the force and power of a large central body—namely, the County Council—with the local knowledge which we shall get from the parochial representatives. I hope the hon. Member for the College Division (Dr. Cameron) will dismiss from his mind any idea that the County Councillors are to be swamped, seeing that everything the District Committee can do is to be subject to the review of the Council. The District Committee will simply include persons brought in from outside as the ministers and deputies as it were of the County Council. Therefore in anything that may be said as to the

composition of these Committees, I trust these two things will be remembered, first, that the administration is local and limited, and next that everything is to be subject to the supervision and control of the County Council. We have introduced a Bill for the purpose of reconstituting the Parochial Boards, but considering the period of the Session which has now been reached, that Bill must be regarded as effete. I know that there has been a strong objection on the other side of the House to the proposal to give equal power on the Board to owners and occupiers. Until there is a reconstitution of the Parochial Boards, it will be necessary to trust them as now constituted, but it is to be hoped that the County Councils will come to the consideration of all these matters with an open mind. What is known of the Parochial Boards as they exist at present will, I trust, justify us in presuming that they will send to the District Committees representatives who will look after the roads and the public health in a satisfactory manner, subject as they will be to the full swing and influence of the County Councils.

DR. CAMERON: The right hon. and learned Gentleman tells us that these District Committees are intended to look after the roads and the public health. If it had been proposed to appoint the representatives of a Road Committee or of a Health Committee the argument of the right hon. Gentleman might be a valued one, but having regard to the large proposals contained in this Bill, I maintain that it is valid in neither respect. If we are to have the Parochial Boards represented on the District Committees I protest against that object being carried out in the way this Bill proposes. So far as the present composition of the Parochial Boards in Scotland is concerned, every proprietor is an *ex officio* member of the Board. If we must have a representation of the Parochial Boards, I protest against the representation being a random one, and would prefer that the representative should be the Chairman of each Board who, at any rate, occupies an official position, and would have some title to recognition. If the Parochial Boards are simply to send two delegates, it is possible to have persons appointed upon real representative character whatever; they may be

heritors or they may be women. As to the question of swamping the County Councillors, let me take the case of Elgin. There you are to have 25 County Councillors; and as there are more than 12 parishes in that county, there will be a larger number of parochial representatives than of County Councillors. It is no answer to say that they will be subject to the control of the County Council. Such an arrangement can only bring about a dead lock. You will have the District Committee determining one way and the County Council, with a vetoing power, determining the other. I cannot conceive how it is possible to have a worse arrangement; and these District Committees are to be entrusted with a most important part of the work of the County Councils—namely, the superintendence of the public health and the management of the roads. Any arrangements they make must necessarily work with great friction, as they are liable to be constantly thwarted and defeated by the action of the Central Authority.

*MR. ESSLEMONT (Aberdeenshire, E.): I look upon the constitution of the District Committees as a matter of great importance; and I hope the Lord Advocate will re-consider his proposal and not introduce this new element. The clause as it stands will invest Kirk Sessions with the control of the District Committees. Take the constitution of the Councils themselves. It would be manifestly absurd to return two representatives of the Parochial Boards for every Town Councillor elected by the wards. The County Councillors acting upon the District Committee might be swamped at any moment; and they would take very little interest in the questions brought before them. Take the case of the County of Aberdeen. My hon. Friend the Member for the College Division is right in saying that the District Committees are the persons who will have the real work to do. It is not at the monthly meetings of the big Council that the work will be done, but at the meetings of the District Committee; and you are virtually placing the control of each district under the Kirk Sessions. In the County of Aberdeen, with 54 Town Councils, you will have 164 representatives of the Parochial Boards, as there are 82 parishes. I am sure that, the Lord Advocate, when he re-

considers the matter, will not insist on his present proposal. For my own part I do not see the necessity of having any representatives from the Parochial Boards at all, until we are able to deal with the question of education as well. At all events, I trust that the right hon. and learned Gentleman will withdraw the proposal to send two representatives of the Parochial Boards to the District Committees. At the same time, I do concur with my hon. Friend the Member for the College Division, that, if there is to be only one, the best man to take is the Chairman of the Board.

SIR A. ORR EWING (Dumbartonshire), who was almost entirely inaudible, was understood to support the clause. From the knowledge he had acquired of the way in which the Parochial Boards managed the affairs of the county, he had perfect confidence that they would send representatives to the District Committees who would manage the affairs of the county with advantage.

MR. A. ELLIOT (Roxburgh): I cannot say that I am at all gratified by the announcement the Lord Advocate has made as to the number of county councillors for each county. On the contrary, I am extremely disappointed by it. The numbers appear to be extremely small, and one result would be that the District Committees would not be the representative bodies they ought to be. I trust that the Lord Advocate will inform us that the matter will be open to reconsideration with the view of providing a much larger representation.

*MR. F. STEVENSON (Suffolk, Eye): This question is of some interest to English Members, because similar proposals may be made for England when District Councils are formed. In the original English Bill neither County Council members nor parishes had anything to do with the District Councils; whereas in the Scotch Bill the District Committees are composed of both elements, but it is important that the wants and wishes of the people in the smaller areas should be adequately represented, and on the showing of the supporters of the clause that would not be the case. I therefore join in the appeal which has been made by the Scotch Members on this side of the House that this part of the Bill

should be postponed for the present, until the organisation and representation of the parishes themselves shall have been settled. Although this is in some respects a distinct improvement on the District Council legislation proposed last year to be applied to England, I think it ought not to be carried out until other necessary reforms have been effected.

MR. D. CRAWFORD: The number of members for each County Council announced by the Lord Advocate would create in the District Committees anomalies that would be untenable and intolerable in the widely varying proportions of County Councillors to parochial representatives. I submit that that is an absurd and indefensible result about which no information has been given and no defence attempted. The Parochial Councillors would constitute the enormous majority, and it seems to me that feature of the Bill cannot be defended. I entirely endorse the other objections to the Bill stated by my hon. Friend below me as to the Parochial Council element, and under all the circumstances of the case I think it would be very much better at this stage of the Bill that the Parochial Boards should be put on a different footing.

DR. CLARK: I fail to see how the scheme of the Government will work. If you carry out the proposed clause, you give two Members to each parish, and this will be the proportion in the counties. In the county of Argyll there are 38 parishes; so you will have 76 representatives of Parochial Boards, and 57 County Councillors. In the County of Forfar you will have 30 members on the County Council, and 104 representing the Parochial Boards. In Fife there are 62 parishes, and you would have 60 County Councillors, and 174 representatives of parishes. In Ross you would have 55 County Councillors, and 56 sent by the parishes. In Aberdeen you would have 104 representing parishes, and 54 County Councillors. In Perth there will be 148 representing the parishes, and 50 County Councillors. From these figures it is clear that in the great bulk of the counties the County Councillors will be swamped by the district representatives. In Sutherland there are 13 parishes—my hon. Friend (Mr. Angus Sutherland)

Mr. Esslemont

says 14—and you would then have 20 County Councillors against 26 District Councillors. Under these circumstances it is useless for the Government to ask us to discuss this scheme. I was representative of a Local Board some 20 years ago, at a place where the ratepayers numbered something like 20,000. We had about 16 or 18 representatives of the ratepayers, and there were representatives of 500 heritors. The only way in which the work could be done was to have a Joint Committee of the ratepayers, and of the heritors, and of the Kirk Session. This Joint Committee practically did all the work. With Local Boards constituted as they are, and with the small number of County Councillors, those representing the Parochial Boards will practically have full control and will be able to do anything.

MR. J. P. B. ROBERTSON: The hon. Member has given us an analysis of certain figures which bring out very clearly the desirableness of the method of representing Parochial Boards which the Government have proposed. The hon. Member studiously avoided any notice of the concession which I intimated, that instead of two representatives of Parochial Boards, there would be one. His figures bring out clearly that unless you duplicate the number of parishes, the number of parochial representatives is fair enough.

DR. CLARK: Fifty-two for Forfar.

MR. J. P. B. ROBERTSON: The proposal of the Government, as now formulated, is completely vindicated by what the hon. Gentleman has said. It is useless to discuss the particulars of individual counties. The hon. Member mentioned Aberdeenshire, where there is a startling preponderance of parochial representatives. But I take the case of one county where there are 20 County Councillors, while the number of parishes in that county is six. The consequence is, that the number of Parochial Councillors will be six to 20 County Councillors. There are similar instances. How can you fairly judge by one example when it is neutralized by another? With regard to the small number of County Councillors, we are quite open to a re-consideration of that subject.

MR. J. C. BOLTON: Under the proposal of the Lord Advocate, the local mem-

bers will not be representative in any sense. It is scarcely to be supposed that any Parochial Board will send up as their representative on the County Council an elective member, and I think I can appeal to Scotch Members to confirm that statement. It is true that in a populous place there are elective members, but, so far as my experience goes, in a landlord parish of Stirling the elective members are practically nowhere, generally speaking. There is a landowner more active than his neighbours, and he manages the Parochial Board, or it is the manager of the parish—as very often happens. I would urge upon the Lord Advocate to postpone the addition of any members from the Parochial Boards until there has been a reform of the Parochial Boards. Such a course would be satisfactory to the Scotch people.

MR. BARCLAY (Forfarshire): Sir, it is very certain that this proposal by the Lord Advocate entirely overturns the present system of parochial management in Scotland. Take my own county, for instance. The Council would consist of 12 representatives of Local Boards and six County Councillors. The Parochial Boards, in the country districts especially, do not possess the confidence of the ratepayers. The Road Trustees at present manage the roads remarkably well; but how would it be if, even supposing the County Councillors were identical with the Road Trustees, the members for the Parochial Boards might overturn their decisions? I think it would be exceedingly unfortunate if the present system were disturbed. I think the number of County Councillors altogether too small. The theory appears to be in the case of Forfarshire to return one for every two parishes, and even if one were returned for each parish, the County Councillors would continue in a minority. I do not see how it would be possible for a County Councillor to accept a seat on a Board whereon he and his colleagues would be in a continual minority. I think the present Bill is only a temporary arrangement, the great defect of which is to divide the County into districts for the purpose of uniformity of taxation. If the Government would carry out the Bill in that way, and leave the adjustment of the districts to the County Council, I think the arrangement would be very much better.

I am certain that, if the present proposal were carried, it would be absolutely necessary to have an amending Act next Session. I hope the Government will allow the County Councils to district the counties before they take any steps as to the District Councils. When the District Committees are established you ought not to have the views of the County Councils brought down to the District Committees, but should rather have the views of the District Committees carried up to the County Councils, just as happens in the case of the Government, where we do not find that the views of the higher Department are brought down to the lower Department, but that the views of the lower Department are sent up to the higher Department. I hope the Government will, under all the circumstances, see the necessity of postponing the clause, in order that the matter may be further considered.

*SIR W. FOSTER (Derby, Ilkeston): The right hon. Gentleman the Lord Advocate has made such liberal concessions with regard to the Officers of Public Health and on some other points that I was very much disposed to accept the position he has taken on this question. I think it is necessary that the small areas should have some kind of representation on these Committees; but, at the same time, that representation ought not to be too large. One of the great difficulties in regard to the existing system is where the local representatives have power enough to enable them to interfere with the general control, and it is desirable that this exercise of unequal power should be avoided. I hope the right hon. Gentleman will see his way to postpone the consideration of the clause.

*SIR J. KINLOCH (Perthshire): I should be inclined to say—let every parish elect two representatives on the District Councils. In the same way as at present, we elect two members for the management of the roads, and if that number be found too few, for certain exceptionally large parishes, it could be increased.

MR. CALDWELL: We are told that the subjects to be dealt with by the District Councils are purely local; and I wish to point out that it is exactly matters of a local character that are

of the greatest interest to the ratepayers. As a rule, the ratepayers would take much less interest in the general affairs of the Councils than in those coming under the consideration of the District Councils. As it is at present, the greatest amount of interest is felt in matters that come before the District Boards, and the constitution of those Boards is naturally regarded as a matter of great importance by the county electors. The theory here is that we start with County Councils elected on a popular basis, but yet when you come to deal with the District Councils you introduce a new element. I quite agree with the hon. Baronet the Member for Dumbartonshire that the management should be done by the ratepayers' representatives, who are the working representatives on the Parochial Boards; but you will find the landowners coming into the bodies you propose to set up, and although they know nothing about the affairs of the neighbourhood they will exercise their mandate and will vote down the representatives of the ratepayers. In one parish with which I am acquainted there are seven representatives of the ratepayers, and yet there are 120 members of the Parochial Board who simply hold their membership by reason of their property qualification, and those 120 persons can at any time swamp the representatives of the ratepayers. The same result would arise here unless you say that the District Councils, like the County Councils, shall be purely elective. There need be no difficulty in making these bodies elective. If you take the parish as a unit you can allow each parish to have at least one representative, while the larger parishes might have more. This would probably double the proposed number, and they could be subdivided into District Councils, on each of which you would have a representative of every parish. Or you might arrive at the same end by having the election in each parish for the County Council, and enabling the ratepayers to vote at the same time and on the same paper for the District Councils. If, however, you adopt the proposal of having one-half owners and the other half elected by the ratepayers, you will not have the elective element as the basis of county government, which is the theory on which this Bill is said to be founded.

Mr. Barclay

MR. A. SUTHERLAND (Sutherland-shire): The obstacle and difficulty here seems to be the constitution of the Parochial Boards, to which I think it would be dangerous to give such powers as are proposed, if, as is stated, they will have no practical voice in what is done.

DR. CLARK: Looking at the list of new suggested qualifications, I take it that this proposal will place the elected members and nominated members very much in the same position. There are about 1,000 parishes in Scotland, and there will be a little over 1,000 members. Some small counties like Clackmannan and Kinross, which ought to be united, will be over-represented under this system; while the larger counties will be under-represented.

The Committee divided:—Ayes 194; Noes 146.—(Div. List, No. 211.)

Amendment proposed, in page 27, line 20, leave out "two," and insert "one."—(Sir A. Orr Ewing.)

DR. CLARK: The result of this proposal will be very different in different counties. There are some parishes that ought to have more representatives than one. Take, for instance, the parish of Govan. If I mistake not, that parish comprises four or five electoral divisions. It runs into two or three counties. It sends four or five Members to this House, and yet it is only to have one representative on the District Committee. The result of this rule-of-thumb proposition put forward by the Lord Advocate will be that the large parishes will be insufficiently represented, while small ones will be over-represented, and it is really worth the consideration of the Government whether they cannot draw up a clause giving the larger parishes a fairer share of the representation, or, at any rate, grouping the smaller parishes together for this purpose. I would invite the President of the Local Government Board of England to give us his views upon this point.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. RITCHIE, Tower Hamlets, St. George's): The desire of the Government has been to secure that every parish shall be represented on the District Committee—that every parish which has any want or requirement shall be secure of having one person at least on the Committee who is capable

of giving expression to its wishes. We regard this as vital to the Bill, and we desire that all parishes shall be equally represented on the County Councils. The Government, therefore, accept the Amendment.

DR. CAMERON: It appears to me that as at present proposed, the Committee will consist to a very large extent of representatives of the Parochial Board, who will, however, be likely to work at variance with the County Councils. This arrangement will do more harm than good, and therefore I hope that my hon. Friend will persist, later on, in moving the rejection of the clause.

DR. CLARK: I have pointed out a serious objection to this proposal. You are giving small and large parishes exactly the same representation. There are some counties which contain only a few large parishes, while others are made up of a large number of small parishes, so that the representation will really be most unequal. In order to have something approaching equality, we ought to group the smaller parishes, so I would suggest that the Government should postpone the consideration of this clause and bring before us at a later stage some more sensible plan.

MR. BARCLAY: I think a uniform system such as that proposed is not suitable to the whole of Scotland. I would strongly urge the Government to withdraw this scheme.

SIR GEORGE CAMPBELL (Kirkcaldy, &c.): I think there is a great deal to be said in favour of the complete representation of the parish. As the Lord Advocate has pointed out, the number of parishes about equals the number of electoral divisions. But under this plan you will have two classes of representatives on the District Councils. You will have the County Councillor elected from a reasonable and equal electoral division, and you will have the Parish Councillor elected from a totally unequal and incompatible division; in fact, the Parish Councillor will be the nominee of the landlord and the Church party. It seems to me, under these circumstances, that the Parish Councillor is quite unnecessary, and we could get on quite as well without him. I am afraid that the Government are forcing this on to us for the benefit of the landlord and the

will be more satisfactory to hon. Gentlemen opposite than the proposal now made.

*MR. ESSLIE MONT: I admit that, as regards public health, the President of the Local Government Board has made out a fair case, but that with respect to the management of roads the Government are going back. The Parochial Board has really nothing to do with the roads at all, and practically we are putting the roads into the hands of the County Council with this drawback—that we are adding to the Road Trustees a representative of the Kirk Sessions who is elected for ecclesiastical purposes, or for his knowledge and care of the poor. It is a most unfortunate arrangement. I have no desire to bring up the subject of what is good or bad for Scotch Home Rule. What I hope the Government intend is that the roads shall be managed according to the popular wishes of the people. The arrangement proposed cannot be continued. It would be far better to leave things as they are, rather than make a disturbing arrangement which cannot continue and which will not give satisfaction to the community.

MR. SHIRESS WILL (Montrose, &c.): I rise to propose a compromise in this matter. Of course, the Parochial Boards stand condemned even by the Government themselves; but, recognizing the conciliatory tone of the speech of the President of the Local Government Board, I propose to add after the word "therein," in line 22, "such representative being chosen from amongst the elected members of the Board." My hon. Friend has proposed an Amendment which is objected to because it entails another election. My Amendment will not entail another election: it will entail nothing more than what the President of the Local Government Board himself contemplates, and which will have the advantage that it will make some concession to the representative principle. At present there are upon this Board owners and magistrates and representatives of the Kirk Sessions and so forth, and all we propose is that the gentleman to be nominated shall be one of the elected members. If the Government will accept this suggestion it is probable a Division will be saved.

Mr. Ritchie

DR. CAMERON: I hope the Government will not adopt the suggestion of the hon. and learned Gentleman. We want real representatives, such as would be secured by the Amendment of the hon. Member for West Edinburgh or by the arrangement proposed by the hon. Member for Fifeshire. I do not think we ought to weaken our case by accepting a compromise.

MR. BUCHANAN: It is said that the adoption of my Amendment would necessitate another election. I take it that, if the Bill passes as it now stands, the election for Road Trustees will cease, so that the election that will take place for the members of what will practically be a new Board, will be merely a substitution for the election which at present takes place. The object I have in view is simply the representation of the parish on what will practically be the Board of Health for the future.

MR. J. C. BOLTON: What we wish to obtain in some way is, that the delegate from the Parochial Board shall be an elected member, that he shall have obtained the approval of those amongst whom he resides, before he goes to represent them. Rather than have the Bill as it stands I, for one, at all events would infinitely prefer to take my chance of getting from the Parochial Board the representation suggested rather than to be represented by a man who, perhaps, does not possess any claim to the confidence of the people.

The Committee divided:—Ayes 189; Noes 143.—(Div. List, No. 212.)

Amendment proposed in page 27, line 21, after "parish," insert "comprised or partly."—(*Mr. J. B. Balfour.*) Agreed to.

Amendment proposed in page 27, line 21, after "therein," insert—

"And one representative of each burgh within the meaning of 'The Roads and Bridges (Scotland) Act, 1878,' where the management and maintenance of the highways within the burgh have under the provisions of the last mentioned Act been transferred to the county."—(*The Lord Advocate.*)

MR. CALDWELL: The effect of this will be that each police burgh will have a double representation, one as a police burgh, and one as representative of the parish of which the police burgh forms part.

MR. J. P. B. ROBERTSON: There is to a certain extent a double representation, but seeing that the burgh formerly had the management of its own streets and roads, I do not think it is other than desirable that it should have a considerable share in the general management.

***MR. ESSLEMONT:** I agree with the right hon. Gentleman in this respect, and I am very sorry he did not take the same view of the last Amendment.

DR. CLARK: My own constituency will afford an illustration of the double representation through burghs and parishes, and of the manner in which representation will be confused on these Boards which will be fearfully and wonderfully constituted.

Amendment agreed to.

Amendment proposed, page in 27, line 21, after "therein," insert "and"—

"Provided, that in the case of parishes partly landward and partly burghal, such representatives shall be appointed from among their own number by those members of the parochial board who have a qualification as such in the landward part of the parish."—*(Mr. Hesier.)*

MR. J. P. B. ROBERTSON: I think my hon. Friend will see that this Amendment would be inconsistent with the changes in the clause which the Committee have already decided shall be made.

Amendment, by leave, withdrawn.

Other Amendments made.

Question proposed, "That the Clause, as amended, stand part of the Bill."

DR. CAMERON: I think as the clause stands the Bill would be better without it. I am altogether opposed to the principle of representation on this newly constituted body of a body which has hitherto been non-efficient, and on the sole ground that it has had to do with one of the branches of business with which the new body will have to deal. We have an example of the effect on the Parochial Boards themselves. In the old days administration was in the hands of the Kirk Sessions. They did not do the thing satisfactorily, or at all events the Legislature thought there was occasion for the change. But in making the change, in consideration of

the Kirk Sessions having previously had charge of the poor, they were allowed representation on the new Parochial Board. Now that is recognized as a blot on the constitution of the Parochial Boards, and an absurdity that the Lord Advocate does not defend. So in days to come, when the origin of this representation is lost sight of, it will be a curious enigma how—the primal duty of the Parochial Boards being to manage the poor—they came to control the popularly-elected County Councils, and a Committee having the administration of the Public Health Act, and the Roads' Act. I think the theory and precedent we are following are dangerous. We do not require this representation of Parochial Boards, and after the last Amendment the result will be a totally unworkable and cumbrous District Committee. The Lord Advocate has told us that he really has in view that these Committees should owe their existence entirely to the County Council, and I think you might let the County Council do its own districting, but if you appoint a Statutory Committee composed of elements to a large extent antagonistic to the popular representative element on the County Council, and having no real control, carrying their own way in the District Committee, but subject to having their decisions overthrown on every occasion by the County Council, I think you will do much more harm than good, and, therefore, I shall go to a Division against the clause.

DR. CLARK: I object to the constitution of the District Committees on the lines of this very much modified and reconstructed Clause. The Clause has been revolutionized since its first appearance, and it takes some time to understand the relative position of County Council members, Parochial Board members, and Burgh members. We see now the reason why the Lord Advocate was willing to accept the Amendment by which the County Council loses a portion of its control over the District Committee. The District Committee will be constituted in such a fashion that the County Council will have very little influence in it. Constructed in this fashion the District Committee will not have the confidence of the people, and will not be powerful enough for its work. I

strongly support the proposal to leave out the clause altogether.

MR. BARCLAY: In my constituency the management of roads is nominally in the hands of representatives of each parish, and to the number of 25 they are elected by the occupiers, and with these are associated an equal number of Commissioners of Supply; but practically only a few members of the Commissioners of Supply attend the meetings, and the whole business is in the hands of the representatives elected by the occupiers. This arrangement has worked exceedingly well, and the County has had no reason to complain of the management of the roads. Now the proposal is to hand over the administration to 12 members appointed by the Parochial Boards and six appointed by the County Council. The people of Forfar, with regard to any policy for the administration of their roads, will have only six representatives instead of 25, and these six will be overruled by 12 members appointed by Parochial Boards. I think it would be exceedingly unfortunate for the management of roads to disturb, if only for a year or two—for it cannot be for longer—until the Parochial Boards Bill, the complement of the present Bill, passes, the arrangement that has worked so well, and put nothing better in its place. Surely it would be reasonable, would be wiser and more prudent to allow the present system to continue until you have at least an equally good system. It is quite true, as the President of the Local Government Board says, there is the addition of duty in the administration of the Public Health Act, but hitherto the administration of the Public Health Act has formed a very small part of county business. The important business of the District Councils will now, as in the past, be the administration of roads and bridges. If you pass the Bill with this clause in this form you will disorganize the existing system without replacing it by a better one. I understood the principle which from the beginning governed the right hon. Gentleman in framing the Bill was that there should be as little disturbance as possible by the passing of the Bill of the existing system. But by this proposal in the Clause the whole system of the administration of roads is

to be changed, and changed, according to the almost unanimous opinion of those concerned, for the worse. I do not think that the Lord Advocate will contend that the new District Council will be as good as that now existing. Why, then, persevere with a clause which is distasteful to and contrary to the wishes of the people and opposed by the great majority of Scotch Members? Why not provide that the roads and bridges shall be administered by the County Council through the present representatives of the various parishes? I do not think there would be any difficulty in carrying that out. If the Lord Advocate will say that between now and the Report stage of the Bill he will consider this point and see if he can meet the wishes of Members from Scotland, then probably my hon. Friend will not press his opposition to the clause to Division; but if not then I think it is due to our constituents that we should record our protest.

MR. CALDWELL: It is a question whether the Bill shall be acceptable to the people of Scotland or to the Government. Certainly that is the question, for it cannot be doubted that the Liberal Members represent the Liberal views of the electors that the administration should be entrusted to a purely elective body, elected directly by the ratepayers. It is perfectly evident that by the two principles you apply to the constitution of this body, a man who might be rejected by the ratepayers may, without undergoing the turmoil of election, accomplish his desire by simply getting himself nominated, and the actual representatives of the people may be swamped by the votes of these nominated members. Formed in this manner the District Council will give no satisfaction to the people immediately concerned. What the people require is that full power of choice they have in a Parliamentary election, and which exists in Town Council elections. With the exception of Glasgow—an exception under peculiar circumstances—there is no such thing as nominated members on Town Councils. The County ratepayers will insist on having the same control over the management of their local affairs, through representatives directly elected, as the ratepayers in burghs have over their own municipal affairs. But you are seeking to establish a

Dr. Clark

different principle for counties, you seek to introduce a new element, I am sure the elections will repudiate. I agree it would be much better to be without the clause altogether than to have it in the form in which it now stands.

The Committee divided:—Ayes 169; Noes 113.—(Div. List, No. 213.)

Other Amendments made.

Clauses 45 and 46, as amended, agreed to.

Clause 47.

Question proposed, "That the Clause, as amended, stand part of the Bill."

DR. CLARK: There is a very bad principle contained in this clause. I refer to the provision to create a new class of pensioners. I think the County Councils should pay their officers and servants a fair salary, and that the latter should put by a sufficient sum of money for their old age. The system of deferred pay seems to me to be a very bad one. You should give a man fair pay, and let him put by for himself. As we have already got past the lines in the Clause to which I object, perhaps the best thing to do is to raise the question upon Report.

MR. CALDWELL: It will be a very serious matter if practically all the servants of the County Council are to be pensioned. I quite agree that the proper course is to raise this question on Report, as the clause certainly contains a new principle.

Question put, and agreed to.

Clauses 48 and 49 agreed to.

Clause 50.

MR. MARK STEWART (Kircudbright): There seems to me to be an omission in the Bill. The Commissioners of Supply do not appear to have power to hold their meetings in the county meetings, therefore I move the Amendment on the Paper.

Amendment proposed, in Clause 50, page 29, line 31, after "behalf," add—

"Provided always that the Commissioners of Supply shall be entitled to hold their meetings and transact all necessary business as heretofore in the county buildings, and shall, for all purposes of their business, have the same use of the property transferred by this section, and of any other rooms and accommodation subeti-

tuted therefor, as they would have had if the Act of 1877 had not been passed.—(Mr. Mark Stewart.)

Question proposed, "That those words be there added."

MR. J. P. B. ROBERTSON: I do not think this is necessary, as all the requisite arrangements for the holding of the meetings of the Commissioners of Supply are provided for in another portion of the Bill. At any rate the words proposed are too wide. I will undertake to see whether the clauses of the Bill will provide for the proper housing of the Commissioners of Supply.

Amendment, by leave, withdrawn.

Clauses 50 and 51 agreed to.

Clause 52.

DR. CLARK: I would propose to strike out of this clause "Good Friday." We know nothing at all about "Good Friday" in Scotland, and I object to the introduction of English ideas of the kind into a Scotch measure.

Amendment proposed, in Clause 52, page 30, line 30, leave out, "or Good Friday."—(Dr. Clark.)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. J. P. B. ROBERTSON: I would point out that Good Friday is a Bank Holiday, and that, therefore, you cannot expect the members of the County Councils to meet for the purpose of doing work on that day.

MR. S. WILLIAMSON (Kilmarnock, &c.): The words "Bank Holiday" will cover the intention of the Government. Why not, then, leave out "Good Friday?"

MR. J. P. B. ROBERTSON: I cannot agree with the suggestion of the hon. Member. Altogether apart from the religious aspect of the question, Good Friday is recognised as a secular holiday. It is a statutory holiday and as we have to serve the general convenience of the whole community, I think the words should remain as they stand.

*MR. CAMPBELL BANNERMAN: No doubt Good Friday is a Bank Holiday in Scotland, that is to say, it is prescribed by law that the banks shall close on that day, but so far as my observation goes this "Bank Holiday" is observed in Scotland by no means as strictly as in England, where

all the shops are shut and the business of the community is suspended. No doubt it would be inconvenient to meet on the days mentioned in the clause, if the Councils were likely to have financial business to transact on those days, seeing that the banks are closed. As, however, the meetings will only be business meetings, I do not see why Good Friday should not be dealt with like any other day.

MR. CALDWELL: There are other bank holidays in Scotland besides Good Friday, but they are not mentioned specifically in the clause. Christmas Day is put in, but Christmas Day in Scotland is not regarded as it is in England. There is a day in Scotland which is thought a great deal more of—namely, New Year's Day. Scotland is entitled to have her national holidays regarded, therefore I think New Year's Day should be put in, and I do not see why St. Andrew's Day should not also be included.

*MR. ESSLEMONT: There is a good deal to be said in favour of retaining Good Friday in the Clause. It would be extremely inconvenient if the bank holidays and general public holidays were not simultaneous. If we are to have holidays at all, I think we should have them on those days when the banks are closed.

DR. CLARK: Are we to have the words "Bank Holiday" substituted for Good Friday? Those words would include other bank holidays besides Good Friday; for instance, the first Monday in August.

MR. J. B. BALFOUR: As I understand the Clause, it is no prohibition against anything being done on these days. What it says is that the computation of time required for the performance of anything directed to be done or taken on a certain day by the Act, if that day falls on Christmas Day, Good Friday, public holiday and so on, shall be considered as done or taken in due time, "if it is done or taken on the next day afterwards, not being one of the days in the section specified." There is nothing in the Bill to prevent the County Councils meeting on Good Friday if they like.

DR. CLARK: I know that; but my objection to these words is one of principle. We do not know Good Friday as Good Friday in Scotland, and only a

very small proportion of our people know anything about Christmas Day. A great many people in Scotland consider the way in which these days are regarded in England as nothing short of superstition. If we must have a popular holiday mentioned in the Clause, why not take New Year's Day, which is a great Scotch holiday? I object, as I have said, to introducing English ideas into a Scotch Bill. On that ground, and on that ground alone, I object to these words.

*MR. THORBURN (Peebles and Selkirk): Perhaps the right hon. and learned Gentleman the Lord Advocate would insert New Year's Day in the clause, in order to satisfy the nationalist feeling of the hon. Member for Caithness?

Question put, and agreed to.

Question proposed, "That the Clause stand part of the Bill."

DR. CLARK: The Clause mentions a "day appointed for public fast." Does that mean the fast of a district or a fast for the whole country? What is meant by the Clause—what is meant by the words "public fast, humiliation or thanksgiving"? Does the Clause refer to days appointed by the Presbytery? What is the legal meaning of this phrase?

MR. J. P. B. ROBERTSON: Fast days in Scotland are of two kinds. First, those which are used in Scotland and set aside for religious observances, and the time of these may vary according to the custom of the district; the other kind is where a public fast is proclaimed by Her Majesty. As the right hon. and learned Gentleman the Member for Clackmannan has pointed out, the Clause only means that anything which has to be done falling on one of these days may be for obvious reasons postponed to the next day afterwards.

Question put, and agreed to.

Clause 53 agreed to.

Clause 54.

DR. CAMERON: Why do the Government propose that fines or penalties may be recovered at the instance of the County Clerk?

MR. J. P. B. ROBERTSON: Under certain Statutes the Town Clerk—in this case the County Clerk—will be the prosecutor.

Mr. Campbell-Bannerman

DR. CLARK: In cases where fines are not paid you provide an alternative of two months' imprisonment. Why is that?

MR. CALDWELL: The County Council will be able to prosecute in its corporate capacity. It would be incongruous, therefore, to have the County Clerk suing before the Sheriff. There is no reason why the name of the County Council should not be used on all occasions.

MR. J. P. B. ROBERTSON: I will undertake to consider the case before the Report stage.

DR. CAMERON: This is a very important question and we should have some definite statement from the Government with regard to it. A point has already arisen in connection with this system of fixing periods of imprisonment in default of payment of fines, and I have put questions to the Lord Advocate on the question, but without eliciting anything more satisfactory than that 60 days are equivalent to two months. These alternative periods of imprisonment are most dangerous proceedings. Here is a case in which a man is fined for some smuggling transaction. I say nothing about the punishment—it might be right that he should be sent to gaol for five years. I should not have questioned the matter if he had been sentenced to imprisonment, but what I complain of is that he is asked to pay an impossible fine, and because he does not do it he is sent to gaol for 12 months, in spite of the Act passed not long ago abolishing imprisonment for debt, and merely because the Legislature, having in view very different matters, has enacted that no man shall be kept more than 12 months in prison for a debt in respect of which imprisonment is still allowed. It would be much better to fix a term of imprisonment, where imprisonment is to be inflicted, than to arrive at that method of punishment by the roundabout process of imposing an impossible fine. That is an unstatesmanlike and often a most barbarous form of punishment.

DR. CLARK: I would point out that in a Bill the Government introduced last year, the Government did not permit the Justices to inflict the maximum of 60 days' imprisonment for a 5s. fine. There was a sliding scale laid down accordingly to which the number of days imprisonment would be 14, 28, and

36. I want to know why the Government do not adopt the same scale in this clause? Under this clause, as framed, a man fined 5s. in default of payment can be sent to gaol for 60 days.

MR. J. P. B. ROBERTSON: I do not remember the precise form of the Act of last year, to which the hon. Member refers, but I would appeal to the right hon. and learned Gentleman the Member for Clackmannan, whether the form used in this clause is not such as has been put in Bill after Bill for the last few years. It is the stereotyped provision by which a latitude is allowed to the Judge in the matter of inflicting imprisonment in default of payment of fine.

MR. J. B. BALFOUR: In reply to the right hon. and learned Gentleman's appeal, I must say the form seems quite familiar to me, though I cannot offhand mention a Statute in which it is to be found.

DR. CAMERON: Where does it come from?

MR. J. P. B. ROBERTSON: I cannot say. I did not imagine that any exception would be taken to it, therefore, it did not occur to me to look for precedents. If I had time to search, I have no doubt I could find many instances of the use of this on a similar provision.

DR. CLARK: The change I have referred to, whether wisely or unwisely, I will not say—was made last year.

Clause agreed to.

Clause 55 to 58 agreed to, with Amendments.

Clause 59.

Amendment moved, page 32, line 34, at end, add—

(3) Nothing in this Act shall alter or affect any deductions or allowances or power of making deductions or allowances from gross rental made or possessed under or by virtue of the following Acts: 'The Poor Law Act, 1845,' 'The Police Act, 1862,' 'The Public Health Act, 1867,' 'The Roads and Bridges Act, 1878;' but such deductions or allowances, and power of making the same, are expressly continued with regard both to the rates or assessments imposed under the authority of these Acts, and to those formerly imposed under these Acts, but now to be imposed under this Act.—(Mr. J. B. Balfour.)

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: I think my right hon. and learned Friend will find that much of this Amendment is unnecessary. After what occurred the other day, I have undertaken to preserve the incidence of taxation under the Public Health Act exactly as if this Bill had not passed. I am anxious to preserve the deductions and allowances which it is now competent for the authorities to make. With regard to the other Acts mentioned in the Amendment they are not touched by the Bill, and I think it might mislead if the Amendment were adopted.

MR. J. B. BALFOUR: Shall we see the Amendment the right hon. Gentleman proposes before the Report stage?

MR. J. P. B. ROBERTSON: Yes; I will communicate to the right hon. Gentleman what I propose. At present all that is required is to preserve the incidence of taxation under the Public Health Act.

MR. J. B. BALFOUR: My object is to preserve the incidence of taxation under the whole of these Acts. I know that in Scotland a good deal of anxiety is felt lest, in some way or other, in the various areas affected deductions may be made, whereby the bases of rating under other than the two Acts referred to may be interfered with.

MR. J. P. B. ROBERTSON: I should prefer to take the words of the old Public Health Act, or, otherwise, to take absolutely general words, as I think that would be the safer plan. This Amendment might mislead the authorities by creating doubts as to whether or not they are touched, when as a matter of fact they are not touched at all.

Amendment, by leave, withdrawn.

Clauses 59, 60, and 61 agreed to.

Clause 62.

Amendment moved, Clause 62, page 33, line 17, leave out "includes" and insert "means."—(Mr. J. P. B. Robertson.)

Question proposed "That the word 'includes' stand part of the Clause."

SIR G. CAMPBELL: The Lord Advocate promised that this Definition Clause should be amended so as to make it clear that "burgh" means Municipal and not Parliamentary burgh. He does not do it directly by

amending this clause, but he proposes to do it by introducing a substantive clause. The Bill says "The expression 'burgh' includes any Royal or Parliamentary burgh." Well, Dysart, that I have mentioned before, is both the one and the other, but it is under 7,000 population. I should like to know how the right hon. Gentleman makes the Bill clear in this case.

MR. J. P. B. ROBERTSON: This Amendment will meet the case the right hon. Gentleman refers to.

SIR G. CAMPBELL: Perhaps it would be as well to defer the settlement of this question until we come to the clause on which it arises in the other Bill.

Question put, and negatived.

Question, "That the word 'means' be there inserted," put, and agreed to.

MR. ASHER (Elgin, &c.): The Amendment I now move is designed to meet the case of burghs, combined for Parliamentary purposes, but which are in other respects distinct burghs. A new clause to deal with the matter has been given notice of, and it is quite evident that with regard to this point the right hon. Gentleman, the Lord Advocate and I agree as to the principle on which the matter should be dealt with. I am not quite satisfied with the precise wording of the proposed clause, but as the difference between us is merely a matter of drafting I do not propose to press my Amendment. I have put it down in order that the right hon. Gentleman may consider it. It is as follows:—Page 33, line 18, after "burgh," insert—

"But when a Royal burgh and a police burgh are combined for Parliamentary purposes, the expression 'burgh' shall be read as applying to each separately."

DR. CLARK: I wish to see the greater include the less. We desire to see Parliamentary burghs taken rather than municipal burghs, for, in the case of Wick, for instance, the Royal burgh, only takes in a portion of the Parliamentary burgh.

Amendment moved, Clause 62, page 33, line 20, after "have," insert "at the time of the passing of this Act."—(Mr. Hosier.)

Question proposed, "That those words be there inserted."

DR. CLARK: The Government seem inclined to accept this Amendment, but I should like to know what it means. The hon. Gentleman who proposes the Amendment seems to have squared the Lord Advocate, but he has given the House no explanation of his object.

*MR. HOZIER explained that if the Burgh Police and Health Bill were to pass in its last year's form, police burghs would be created of only 700 inhabitants, and it would, therefore, for purposes of Local Government, be well to have some definite line.

DR. CAMERON: The hon. Member has not been very distinct in giving his reason. When there is uncertainty on the part of the hon. Gentleman in giving a reason, we on this side may be certain that he is doing something against Glasgow.

MR. J. P. B. ROBERTSON: I have given notice of a new clause, which states that nothing in the Bill shall interfere with the formation of the police burghs, and on looking at the Amendment of the hon. Gentleman I find that it would be inconsistent with this clause. I cannot, therefore, accept it.

*MR. HOZIER: I will withdraw the Amendment. But I beg to assure my hon. Friend the Member for the College Division (Dr. Cameron) that it had nothing whatever to do with Glasgow.

DR. CLARK: The Lord Advocate had accepted this Amendment when I wanted to know the meaning of it. The meaning of it, I believe, would have been to prevent the creation of any more burghs. I think that hon. Members who move Amendments having such a wide scope as this should at any rate enlighten hon. Members as to their meaning.

Amendment, by leave, withdrawn.

Amendment moved, page 33, line 32, before "includes," insert "except when otherwise expressly provided."—(Mr. J. P. B. Robertson).

Question proposed, "That those words be there inserted."

MR. CALDWELL: We have scored out of a preceding part of the Bill the exclusion of the Sheriff substitute. The Bill was framed on the footing that the Sheriff substitute was to be precluded from exercising jurisdiction, but we have since given the Sheriff substitute equal

power with the Sheriff, therefore the words should be left as they are.

MR. J. P. B. ROBERTSON: My impression is that there is no part of the Bill where there is an express exclusion of the Sheriff substitute. At the same time it is obvious that this can do no harm. It had better go in just now, and I will undertake on Report to strike it out if there is no necessity for it.

Question put, and agreed to.

Other Amendments agreed to.

Clauses 62 to 65 agreed to.

Clause 66.

Amendment moved, Clause 66, page 37, line 1, after "office," insert—

"For the electoral divisions in which their qualifications as county electors respectively are situated."—(Mr. J. P. B. Robertson.)

Question proposed, "That those words be there inserted."

MR. MARJORIBANKS: I do not quite understand what the object of these words is. Is it that these *ex-officio* Members are to be Members for particular districts?

MR. J. P. B. ROBERTSON: The object is to make these persons *ex-officio* Members for the divisions in which their qualifications are situate. If their qualification is in one division they will sit for that and not for another.

Question put, and agreed to.

Another Amendment agreed to, Clause 66, page 37, leave out "lord."—(Mr. J. P. B. Robertson.)

MR. MARK STEWART: I beg to move an Amendment with the object of obviating the disadvantage the County Council will labour under in the event of there being no permanent Chairman, if either of the bodies mentioned in the clause at the time of the passing of the Act. In a county with which I am acquainted there is no permanent Chairman of the Road Trustees. Inasmuch as the object of the Government is to have on the first Council persons of experience and knowledge, I think it would be desirable to allow the Commissioners of Supply to nominate an *ex-officio* Member in the case I contemplate in my Amendment.

Amendment proposed, in page 37, line 6, after "1878," to insert the words

"But where there is no permanent Chairman of Road Trustees in any county one person shall be elected by the Commissioners of Supply an *ex officio* Member in the place of such permanent Chairman."—(Mr. Mark Stewart.)

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: I think this would not be in consonance with the scheme of the clause. The object is to put upon the first Council four men who are certain, by reason of their office, to be experienced. Take the case of a Chairman of County Road Trustees. There is in Scotland, as hon. Members are aware, always someone in every district who has given his attention to the subject of the roads.

MR. CALDWELL: I am totally opposed to anything in the nature of any person entering the County Council except by election. The number of County Councillors will be very considerable in any large or important county, and there ought to be no difficulty, if the Chairman here referred to is anxious to continue his duty towards the Council, in his getting himself elected by the ratepayers for that position. I think we ought to afford no facility for the foisting of any person into the Council by reason of any official position he may have held, and in opposition to the elective principle.

DR. CLARK: I can understand the object of the Government in wishing to make room for the Convener of the county, the Chairman of the County Road Trustees, and the Lord Lieutenant of the county, on account of their experience in county business; but the proposal before us is one that carries the principle a good deal further, and permits the old Commissioners of Supply to nominate certain of their number in addition to these Chairmen into the position. For my part, I shall strongly oppose the proposed extension of the nominative element into the clauses of this Bill.

The Committee divided:—Ayes 90; Noes 55.—(Div. List, No. 214.)

Question proposed, "That Clause 66, as amended, stand part of the Bill."

*MR. MARJORIBANKS: I object to this clause altogether, and were it not that I do not desire to put the Committee to unnecessary trouble, I should

have taken a Division against each section of it. As this course would have been inconvenient, I shall now move the rejection of the entire clause. The first part of the clause to which I object is that which introduces the *ex officio* element. If these four gentlemen have been doing the work properly they will certainly be elected by the electors of the county. My own experience is that the Lord Lieutenant takes very little part in the county business. With regard to the other three, they take a very considerable part in county government, and if they have done this work well they will certainly be elected to the first County Council. But there may be cases where the county would take the opportunity of getting rid of these gentlemen; therefore, I do not see why the County Council should be burdened with gentlemen who have been doing their work unsatisfactorily and unpopularly. I maintain that you are absolutely putting these four gentlemen in a position of disadvantage by insisting that they shall be *ex officio* members. For the reason that members of the County Council will, like Members of this House, settle down and attach themselves to particular constituencies, I think that to make these gentlemen *ex officio* members would diminish their opportunities of being elected to future County Councils. Then there is the second provision which reposes in the hands of the Commissioners of Supply the duty of filling vacancies in these seats where two or more of the qualifying offices happen to be in the hands of one person. I protest against that provision as an attempt to introduce by a side wind a sort of aldermanic system in the counties. We have congratulated ourselves on being superior to our English brethren in having no Aldermen at all. But this proposal savours strongly of the aldermanic element. If we allow these four gentlemen to take their chance along with the rest, I have no doubt, if they are worthy of it, they will be elected.

MR. A. SUTHERLAND: I am inclined to oppose the clause on the ground that the clause makes provision for the retention of these gentlemen, and so continuing the government of the county by the Commissioners of Supply. It will be remembered that on the occasion of the Second Reading the announce-

ment that there were to be no Aldermen was received with acclamation; but I fear that this proposal is in that direction, and that it is an attempt to continue those who have had control of the county before, and to perpetuate them with the County Council. The right hon. Gentleman the Member for Berwickshire said the Lord Lieutenant took little part in county government, yet this proposal is to place him on the County Council because he has not performed any popular work. That is ridiculous on the face of it. It has been laid down as an argument for these gentlemen that they have had experience of county business; but I presume that hereafter it will be conducted rather differently to what it has been in the past, and therefore these gentlemen will not be better qualified than others to take a share of the county government. Whatever the Commissioners of Supply may have done in the past, it is time now to supersede them in the government of the county and in the interests of popular election. I beg to support the omission of the clause.

*MR. HOZIER: This clause is inserted for the object of securing some slight continuity when the old order changes to the new. It must be borne in mind that the Lord Lieutenant, the Convener, and two holders of the other two offices mentioned are to be *ex officio* Members of the first County Council only, and after that will have to stand for election in the ordinary way. It is, therefore, ridiculous and absurd to talk of a perpetuation of the Commissioners of Supply, or of a system of Aldermen being introduced by this proposal. As to the principle of popular election being overridden, why surely that principle is not nearly so much overridden in this case as in the case of the burghs, where a Councillor, if elected Provost by his fellow Councillors in the last year of his office, receives by co-optation a fresh lease of three years of Office without having to go back to his constituents. In the burghs, too, the necessity of continuity is so strongly felt that one-third of the Councillors retire each year, having always two-thirds of the Council, with some considerable experience of the work to be done. Surely this Clause which receives some slight continuity when the old order changes to the new, need not be

cavilled at, and I earnestly trust that the Government will stoutly maintain their proposal.

DR. CLARK: This is a very serious matter. When you have only got 20 County Councillors, four of them will be *ex officio*, which would be about equal to the number of Aldermen in Dunoon. I think it would be very inadvisable to have so large a nominated element. It would affect my county considerably. We have no Lord Lieutenant, unless the Government have appointed one recently in room of the late noble Lord, whose death caused general regret. Then the Convener stood as a candidate for the county, and was not returned. I hope that gentleman will again stand; he will be returned for any one of the districts of the county, which would have his assistance in the administration of its affairs. I hope the Government will remember this matter. Where you have 90 or 60, it would not so much matter to have four *ex officio* members; but where you have 20, the proportion of four is very great. I hope the Government will look to the fact that the proportion will be one-twentieth in some districts and one-fifth in others.

MR. M. STEWART: The *ex officio* members would be gentlemen of experience, and the whole object of their appointment is to make the Bill a really practical measure.

MR. ANGUS SUTHERLAND: I desire to say a few words with regard to the experience of these gentlemen whom it is proposed to transfer from the Commissioners of Supply to the new County Councils. I think the question of experience forms one of the strongest arguments in favour of their submitting themselves to the test of popular election. But as a fact it is clear, from a sub-section which follows, that it is not because of their experience that these gentlemen are to be transferred, for the sub-section in question provides that in a case where two of these offices are held by one gentleman prior to the establishment of the County Councils, the offices shall be filled up by separate individuals. It therefore cannot be that by reason of their experience these gentlemen are to be foisted on the new County Councils. I consider it is not a great compliment to these gentlemen that they should be compelled to enter the County Councils with the stigma upon them that they are

concession to us on this point. If he has any desire at all to see this Bill popularized with the people of Scotland, he must recognize the necessity of having all the members of the County Councils elected. Referring to the remarks of the Solicitor-General, as to the influence of the clerks of the counties, I may say, as a Justice of the Peace, that we receive most assistance from, and take our law at the hands of the clerk of the J.P. Court, whose life-study it is to direct in a proper manner the Justices of the Peace. I have no doubt that the clerks of counties will be of equal service to County Councils, and I hope that the Lord Advocate will consent to delete this clause.

MR. CALDWELL: It is often a matter of surprise that Conservatives have so little hold upon the people of Scotland, but the discussion which has taken place upon this Clause illustrates the difference between Conservative and Liberal principles. The policy of the Liberal Party is to trust the people, and it has always been the case that when the people have been trusted satisfactory results have been obtained. I believe that if you trust the people to elect all the members of the County Councils, as we trusted them in the case of the election of the School Boards, it will be found that men will be chosen on account of their ability, their knowledge of business affairs, and their aptitude for dealing with the particular subjects allotted to the County Council. On the other hand, if you distrust the Scotch people in this matter and seek to coerce them in any shape, they are just the people that will rebel against such treatment; and it will be most injudicious to rouse the popular spirit by any attempt of this kind.

MR. J. P. B. ROBERTSON: I rise merely for the purpose of suggesting to hon. Members that we have already had a double discussion on this subject and of expressing a hope that the Committee will now be allowed to proceed to the next part of the Bill. The reasons which have influenced the Government in making this proposal have been explained on two occasions, and I cannot suppose there is any desire to continue the discussion beyond the bounds within which it ought to be confined.

Mr. J. Wilson

MR. J. C. BOLTON: Before we go to a Division, I should like to refer to the position of the county I represent. At a meeting of the Committee of Supply, called specially to consider this Clause, a resolution against it was moved by the County Covenor himself and adopted. The Covenor was very desirous of being elected to the County Council; but he felt that if he was forced upon it in the way proposed, it would be the last time he would serve the county. I understand that it is the object of the Government to obtain the services of men who are specially experienced in County Government. I know of one Lord Lieutenant who has not attended a single meeting of the Commissioners of Supply, and who, I believe, has never qualified as a Commissioner of Supply. It would be absurd to put such a man as that on the Council on the ground of his knowledge of local circumstances. Moreover, it must be borne in mind that the business that will devolve on County Councils is not the same at all as that which has been transacted by the old Commissioners of Supply. Under these circumstances, I really think it is going beyond the bounds of reason to suppose that these men will bring with them an amount of knowledge which is not possessed by gentlemen who will be elected.

DR. CAMERON: It seems to me that the Government have not paid much attention to precedent in this matter. There are many precedents for the establishment of these new bodies. Take the School Boards as an example. It was never thought of, in connection with the establishment of School Boards, to make representatives of the heritors *ex officio* members. It might cite dozens of cases where you have the most obvious course of precedents tending in the opposite direction to that which the Government so obstinately insist upon following. For a Conservative Government to adopt such a course as is embodied in this clause is entirely inexplicable. This proposal is an entire departure from any precedent any person in the House can point to. We are told that it is to introduce persons experienced in the management of local affairs, but this is negatived by the terms of Sub-section 1. What it really

is is an attempt to obtain on the first County Council the acceptance of a policy which would probably influence the Council for a considerable time to come, and to do this by increasing the representation of the Commissioners of Supply.

The Committee divided:—Ayes 90; Noes 54.—(Div. List, No. 215.)

Clauses 67 to 73 agreed to with Amendments.

Clause 74.

MR. MARK STEWART: I attach considerable importance to the small Amendment I have to propose—the insertion of the word “similar” in line 35. We know that considerable pressure may be brought to bear against a new body such as this we are constituting, and how difficult it will be to resist it. I do not want to put any check in an invidious manner upon any just claim a man may have for compensation for the abolition of his office; but, at the same time, I think the Committee will agree that the limitation my Amendment will impose is perfectly reasonable.

Amendment proposed, page 39, line 35, to insert the word “similar.”

Question proposed, “That the word ‘similar’ be there inserted.”

SIR G. CAMPBELL: This seems to me a reasonable Amendment, and one likely to put a stop to much abuse of the system of compensation. A man not the holder of a permanent office is liable to have his services dispensed with under the new authority, as he would be under the old authority, and yet he may put in a claim for a statutory right of compensation. Clearly, that is not our intention, and I think this Amendment puts the matter right and provides that the man is on the same footing under the new authority as he was under the old authority, and no additional right accrues from the transfer of service.

MR. FIRTH: It appears to me to be a valuable Amendment, and I hope the Government will accept it. It sets up a sort of standard as to what compensation should be, and this is wanting in the Act of last year.

MR. CALDWELL: I think the Government ought to accept this Amendment.

MR. J. P. B. ROBERTSON: I propose to do so.

Question put, and agreed to.

Other Amendments made.

Clauses amended agreed to.

Clause 75.

MR. CALDWELL: I propose to move the omission of Sub-section 1 of this clause. It introduces, I think, a very objectionable principle against which we ought to contend. It provides that compensation shall be given to present holders of offices if they are removed whether they are entitled to that compensation or not. We have provided for all the servants of the existing authority to become the servants of the new County Council, and we have also provided for the compensation of any of those servants should their services not be required by the Council, in so far as, under the tenure of their office, they could claim compensation. But Clause 75 proceeds on the footing that every existing officer is entitled to compensation. In that proposition I think there is very great objection. I do not object to the holder of a permanent office, if displaced by reason of the transfer of authority being compensated. But, as I read the words of this clause, a man would be entitled to compensation even though he had been offered and had refused service under the Council. Now that, I think, is carrying the principle of compensation to an inordinate extent. Why, it might apply to anyone of the many employers under the Local Authority. There might be a man who was getting £1 a week under the old authority, and be, perhaps, not worth 10s., and he might claim to be entitled to compensation, because he might say, “The Road Trustees have not turned me over to the County Council. I decline to go over, and I want compensation in respect of my office.” I am sure none of us intended anything of that kind, and to bring in a clause like this will, I am afraid, open the door to enormous claims and saddle the new authority with a heavy burden of

compensations. I therefore move and delete the sub-section.

Amendment proposed, "That Sub-section 1 be omitted."

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. J. P. B. ROBERTSON: The subject of compensation requires very careful handling, and I would direct the attention of the Committee to the fact that the words it is proposed to delete are strictly limited by the governing words, which provide that an officer shall be entitled to compensation for direct pecuniary loss suffered through abolition of office, or loss of salary or fees. Following these words, as they appear on page 39, it will be seen that in considering these claims referred to in the substantive words, regard shall be had to the conditions under which the officer held office. So it will be observed that the words the hon. Gentleman thinks so objectionable are inserted for, and would have the effect of, limiting claims and diminishing the amount of compensation. I hope the hon. Gentleman will see this if he looks at these words with the context.

*MR. CAMPBELL-BANNERMAN: Neither my hon. Friend, nor, I think, anyone else, is disposed to prevent any public servant from obtaining compensation for loss he may suffer through this change in affairs. The point of my hon. Friend is, he does not want to confer any right to compensation that was not possessed before the transfer.

MR. J. P. B. ROBERTSON: I can assure my right hon. Friend that we are not here to rear up claims against the new County Council—quite the contrary. Nor do I think that the Clause can be interpreted to have such an effect. The special cases entitled to compensation have been dealt with already, and these words merely take up cases that have been omitted, but stand on the same footing. I do not think the form of words requires amendment.

MR. G. CAMPBELL: I quite think it is the correct view that the clause will not create fresh claims; but with the Amendment we inserted just now, it will prevent claims being advanced to a

Mr. Caldwell

statutory right of compensation where none actually exists.

MR. FIRTH: As the Lord Advocate may suppose, we have given careful consideration to the Clause, for the question in connection with the English Act has excited a good deal of attention. The clause will, to some extent, meet the difficulties that arise. But let me, in a few words, put a difficulty that may arise. Suppose you have an officer whose appointment is determinable at the will of the authority succeeding the present authority. Suppose, for instance, it is a clerk in one of the departments over which the County Council assumes authority, and by virtue of a previous section of this Bill he passes into the service of the Council. Now, the County Council may think this man's services superfluous, and they may discharge him. Would that man have a claim for compensation by reason of his having suffered pecuniary loss through the exercise of the power the County Council possess? Supposing the authority to which the County Council succeeds had chosen to dispense with his services, he would not have been entitled to compensation; but under this clause, if the County Council dispenses with them, he is to be entitled. The difficulty might be remedied by the insertion of a few words to the effect that he shall not be entitled to any compensation he was not entitled to before.

MR. J. P. B. ROBERTSON: The hon. Member for Dundee (Mr. Firth) says you are transferring a man from one superior to another, and it is conjectural that if he remained under the old authority he might have kept his situation, whereas it is tolerably certain he may be dismissed under the new. The answer every lawyer would give to that case is that there would be no claim whatever. He holds at will under both, and he would have no more claim under the new masters than under the old.

MR. FIRTH: That is the construction we place upon it, but I wish to point out that if we abolish the man's office in consequence of the passing of this measure, he will suffer direct pecuniary loss.

DR. CLARK: I think the clause might be slightly modified so as to prevent compensation being given to

those who are not otherwise entitled to it.

MR. CALDWELL: I quite agree that only those who have a claim to compensation at present should have a right to it under the County Council, but it is just a question whether these words carry that out or not. It seems to me that the clause will confer a right to compensation upon those who have no such right at present. If the Lord Advocate will consider the matter before the Report stage, I am sure we shall be glad to see that course adopted.

MR. ASHER: The words of the clause are certainly very general, and I can quite understand the question being raised whether they might not give a right to compensation to a person who is not entitled to it at present, and I am sure the Lord Advocate will consider before Report whether the ambiguity cannot be got rid of.

MR. J. P. B. ROBERTSON: If the hon. and learned Gentleman has any doubt on the subject, I shall be glad to confer with him with a view to the adoption of some of the well known words used in compensation clauses. My impression is that the clause is clear as it stands, but I should like to make it clear beyond all question.

MR. ASHER: I am very much disposed to agree that the clause should be read as the right hon. Gentleman interprets it, but at the same time I think that as at present worded, it might give rise to a serious question.

MR. FIRTH: I have endeavoured to show the Lord Advocate that we who have to carry out such a clause feel the difficulty I have spoken of.

Amendment, by leave, withdrawn.

Other Amendments agreed to.

Remaining clauses agreed to.

New Clause (Provision as to certain burghs,)—(*The Lord Advocate*),—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

DR. CLARK: This is a clause which affects many burghs, and, if adopted in this form, it would keep the Parliamentary burgh of Wick in two parts.

I think it is desirable that the two burghs should form one Parliamentary burgh, and be allowed to arrange matters between themselves, and that the burgh should be outside the county. If the clause be adopted, the old Parliamentary burgh of Wick will cease to exercise the functions it has carried on for centuries, and will be merged in the county.

SIR G. CAMPBELL: The effect would be that the burgh would cease to have control of its police and yet would not be represented on the County Council. I should like to know what would become of the Parliamentary burgh of Dysart under this clause?

MR. J. P. B. ROBERTSON: I think the hon. Member for Kirkcaldy agrees with me for once that the proper boundary is the municipal boundary. In so far as the municipal boundary differs from the Parliamentary boundary we propose to adhere to the Parliamentary boundary. I think that, if the hon. Member will consider the matter and will take advice from experienced men, he will find that this formula is so drawn as to meet this case.

MR. ASHER: Some such clause is certainly quite necessary, because, but for such a clause, the burghs which are combined for Parliamentary purposes only, would have the separate municipalities extinguished. I am familiar with the case of two burghs—one a Royal burgh with upwards of 4,000 inhabitants, and the other a police burgh with nearly 4,000. Each has a perfectly distinct municipality and, to all intents and purposes, they are quite distinct and separate towns. Without this clause, they would, under the Bill, be treated as one, and, having a population of 7,000, would not be merged in the county. It is the desire of both, however, that they should be treated separately. The wording of the clause might perhaps be improved; but I am content to allow it to pass as it stands at present.

Question put and agreed to.

Clause added.

New Clause (Application of Act to County of Ross and Cromarty)—(*Dr. Clark*)—brought up and read the first time.

Motion made and Question proposed, "That the Clause be read a second time."

DR. CLARK: Ross and Cromarty are the only two adjoining counties which will continue to be conjoined. I am rather sorry that Cromarty should be wiped out in this fashion, but I suppose it is too small to have an independent existence, and I will not oppose the clause.

*DR. McDONALD (Ross and Cromarty): I have heard of no objection from anyone in the county to this proposal, and apparently it would be impossible to work the two counties in any other manner, as you have little bits of one dotted over the other.

Question put, and agreed to.

Other New Clauses agreed to.

New Clause (Provision for special drainage or water supply districts).—(*Mr. Barclay*,)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. J. P. B. ROBERTSON: This subject has elicited the attention of several hon. Members; and I think the best plan is to accept the clause just proposed, and to add at the end some words I will propose.

Question put, and agreed to.

Amendment proposed, to add at the end of the proposed Clause—

"And the assessments in respect of the drainage water supply shall be levied in the same manner as they were before such district was formed into a burgh."—(*Mr. J. P. B. Robertson*.)

Question, "That those words be there added," put, and agreed to.

Clause, as amended, added to the Bill.

MR. J. B. BALFOUR: I beg to move the clause which stands in my name. I may state that in the cases intended to be dealt with, unless

some such clause as this were passed, the parishes so situated would lack representation on the Board until the Boundary Commissioners had decided which counties they should attach them to.

New Clause brought up—

"Where the roads in a parish, forming part of one county, are, at the passing of this Act, managed and maintained by the Road Trustees of another county upon the Board of Road Trustees of which the said parish is represented, the said parish shall continue to be represented upon the Council of the last-mentioned county until the Boundary Commissioners shall determine of which county the said parish shall form part, and if any county is not divided into districts for such purposes, each parish in the county shall be entitled to elect two representatives to the County Road Board in the manner provided in Section 13 of 'The General Roads and Bridges (Scotland) Act, 1878.'"—(*Mr. J. B. Balfour*.)

Clause read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. J. P. B. ROBERTSON: The suggestion of the right hon. and learned Gentleman is one that is deserving of careful attention, as these anomalous districts present a great puzzle. The matter is one which, I think, had better be postponed for further consideration on Report, as to which I will take care that adequate notice is given.

MR. J. B. BALFOUR: I am quite satisfied with the statement of the right hon. and learned Gentleman, and therefore will ask leave to withdraw the proposal.

Clause, by leave, withdrawn.

DR. CLARK: I now beg to propose the clause which stands on the Paper in my name, and the object of which is to permit the Islands of Lewis and Harris, Uist and Skye to be formed into a separate county. I would point out that if this new county were formed it would be much larger in area than that which is represented by the right hon. and learned Gentleman who has charge of the Bill, and will have four times the population of that county. It will also

have a much larger population than the Counties of Caithness and Sutherland combined, and would contain a class of people who are separate and distinct, and who have all the characteristics the Boundary Commissioners are to consider in regard to the question of representation. The adoption of this proposal would take these large islands out of the two adjoining counties on the main land where the County Councils will have to meet, and would save long journeys to and fro to the places of meeting. In regard to the question of roads, the people of these islands have, as the Committee is aware, suffered very much, having been compelled to pay the ordinary road rates, although no roads have been made for the repair or maintenance of which rates could be charged. From every point of view it would be better to have these islands placed in the position of a separate county for local purposes than to keep them as they are associated with the counties on the mainland. If they are to be retained in their present position, it will scarcely be possible for them to be properly represented on the County Councils. I should like to hear what the Government have to say on the matter.

New Clause (Application of Acts to certain islands in Ross and Inverness,) —(*Dr. Clark*,)—brought up, and read the First Time.

Motion made, and Question proposed, "That the Clause be read a Second Time."

MR. J. P. B. ROBERTSON: The Committee will probably remember that only yesterday the hon. Member for Ross-shire (*Dr. Macdonald*) made a proposal to the effect that the Island of Lewis should form a separate county for the purposes of the Bill; and I must say that I was not struck with the earnestness or zeal with which the hon. Gentleman brought forward that proposition, nor with the amount of energy with which it was pressed, which was anything but that which he usually displays.

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The hon. Member for Inverness-shire (*Mr. Fraser-Mackintosh*) put on the Paper a similar proposal for welding these islands into a county similarly isolated; but the hon. Gentleman took the more distinct course of staying away. To-night the hon. Gentleman the Member for Caithness (*Dr. Clark*) has brought forward a proposal to combine the fortunes of all these islands under the administrative arrangements of one county. I do not think the Committee will be well disposed towards a proposal of this kind. There is no doubt that these islands have their difficulties; but I think it better that they should be shared with the counties with which they are at present associated, and that it is most undesirable that they should be cut adrift in the manner suggested.

**Dr. McDONALD*: My only objection to this proposal is that the county it would create would be far too large. The Lord Advocate has given certain general reasons as to why these islands should not be formed into a separate county; but he has not ventured to allude to the size of the islands, and the great distances the representatives of the people will have to travel if they are compelled to go to Inverness and Dingwall to attend the meetings of the County Councils. Let us take the case of a journey from the Island of Uist to Inverness. From that island the Councillors would have to walk or ride about 40 miles by road, after that they would have to cross by packet or sailing boat to Skye, which would take about half a day; then they must cross Skye, about 23 miles, to Ströme Ferry, a journey of several hours, and so proceed to Inverness. The result would be that it would take from four to five days for anyone from the Island of Uist to attend a meeting of the County Council at Inverness. Now, I ask, is it to be expected that men can be got to make the sacrifices of time and money involved in journeys such as these? It is said that if this proposal be adopted, the people of these islands

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will be left in a state of isolation; but it is clear on the other hand that, as far as representation is concerned, the islands will be completely isolated if some such proposition is not agreed to.

DR. CLARK: The Commissioners of Supply of the County of Inverness have strongly urged this proposal, and one of those gentlemen went so far as to say that if it were carried they would recommend that the sum coming to Inverness as one of the counties under the Crofters Act should be given to the islands, Lewis and Skye being at present portions of the County of Inverness. Under existing circumstances, it would be physically impossible for anyone who could not afford to give ten days once a month to that duty to attend the meetings of the County Councils; whereas if my proposal were carried, and the County Council meetings were held in Skye, that would be a central spot to which the Councillors could easily get. If this clause be rejected it will be utterly impossible for the people of the islands to be represented at all. The great bulk of the people of these islands are strongly in favour of this clause.

MR. CALDWELL: I think there is more to be said in favour of this clause than the right hon. and learned Gentleman the Lord Advocate seems to think. There can be no doubt that it is absolutely necessary that the people of these islands should send representatives to the County Council, and the social position of those whom they would elect is such that they would not be able to bear the expenses of repeated journeys to and from the mainland and the long severance from their business which such journeys would involve. There can be no doubt, moreover, that, in the opinion of the people who are most deeply concerned in this matter, it would be far more convenient for them and more conducive to their interests in every way if these islands were formed into one separate county. Such an arrangement

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would not add to the number of the counties in Scotland, because we have already reduced the number by one, so that if we add the county now proposed there will be no real alteration. I can understand the reason why the Inverness people are anxious to have the islands formed into a separate county, and that is that they consider it unfair that they should be saddled with the poverty of the islands. These islands would have to be dealt with in an exceptional manner, but it would be unfair that the exceptional burden should be put upon Inverness-shire and Rossshire; it should fall upon Scotland generally. The matter is one well worthy of consideration. Under present circumstances it is quite impracticable that these islands should be represented at all. Unless it be some fish-curer the people have really neither the times nor the means to go these long distances to attend the meetings. If you cannot improve the management of these districts, when disturbances are likely to occur, then the benefit of this Local Government measure will be lost.

MR. BUCHANAN: Sir, unless some such Amendment as this is carried, it is quite impossible that the inhabitants of these islands can have representation. The other argument I have to bring forward is this—that you have a precedent for the course suggested by the English Act, under which several counties were divided up—Yorkshire, Sussex, Cambridgeshire, and some other counties. Special provision was made in the English Bill for the Scilly Isles—which are not separated by such a stretch of sea as are Skye and the Outer Hebrides—for the purposes of the County Council. If you wish to benefit the population of the Western Hebrides you are bound to accept some such measure as is proposed.

The Committee divided:—Ayes 91; Noes 150.—(Div. List, No. 216.)

MR. J. P. B. ROBERTSON: I have now to move that the Local Government

(Scotland) Bill and the Local Government (Scotland) Supplementary Provisions Bill be consolidated in one Bill.

Motion made, and Question proposed, "That the Local Government (Scotland) Bill and the Local Government (Scotland) Supplementary Provisions Bill be consolidated in one Bill."

Motion agreed to.

Bills consolidated into Local Government (Scotland) Bill.

Consolidated Bill reported; Bill re-committed in respect of Clauses 19 and 27, and of certain New Clauses to be proposed in lieu thereof and a Schedule.

LOCAL GOVERNMENT SCOTLAND (RE-COMMITTED) BILL.

[Consolidated from Local Government (Scotland) Bill and Local Government (Scotland) Supplementary Provisions Bill.]

Considered in Committee.

(In the Committee.)

Amendment proposed, Clause 19, page 10, line 29, omit Sub-section 3.

DR. CLARK: In order to afford the Government an opportunity of explaining the course they intend to take, and how they propose to apportion the Probate Duty, I beg to move, Sir, that you do now report Progress.

THE CHAIRMAN: Order, order! It would be rather irregular to make such a statement on a Motion to report Progress.

*THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): Perhaps I can satisfy the hon. Gentleman. He knows, I think, that, under the concessions made by the Government in the course of the earlier discussions, the sums to be allocated in relief of school fees in Scotland were largely increased. As the matter now stands, the sum of £246,500 will fall to be applied for that purpose out of the total derived from the Probate Duty and License Duty. aware that this will go a very long way,

That sum will be employed under a Minute of the Scotch Education Department in relief of fees, and for that purpose alone. The Committee is probably if not the whole way, towards covering the amount required to free the first five standards. I do not know that it is necessary to go into the figures more minutely, and all I need add is some information with regard to the contribution of the present year. This year, instead of the £246,500 which will in future years be allocated, there will only be a sum of £169,000. That will be payable at the end of the financial year in relief of school fees, but those fees will only be dealt with from October 1. The £169,000, therefore, will go towards recouping the school managers in the various counties and burghs of Scotland for the amount that they will lose by the remission of fees from October 1 next. This amount of £169,000 is more than half the annual sum which will have to be provided in future years; but, of course, it is well that the managers should be started with some balance in hand, and the allowance, so far as this year is concerned, is on a somewhat more liberal scale than will be the case in succeeding years. If hon. Members have any other questions to ask I shall be happy to give all the information in my power.

Question put, and agreed to.

Clause 19, as amended, agreed to.

Clauses 20, 21, 22, 23, 24, 25, 26, and 27 omitted.

New Clause (Local Taxation Licenses) read first and second time, and added to the Bill.

New Clause (Grant of portion of Probate Duty after 31st March, 1890,)—(*The Lord Advocate*,)—brought up, and read the first and second time.

MR. HUNTER (Aberdeen, N.): I have a small Amendment to suggest in this new clause. In the first place, I may say I hold that the new clause is a great improvement on the clause for which it is substituted. I think that the

sum offered by the Government is after all infinitesimal; but surely it would be very much better that the County Councils should have a free hand in the distribution of it. If this concession is not granted, it will only be opening the flood-gates for applications for assistance to the Government for various public purposes.

The Committee divided:—Ayes 159; Noes 104—(Div. List, No. 217.)

Motion made, and Question proposed, "That the Clause be added to the Bill."

*MR. CAMPBELL-BANNERMAN: On this question it is only right I should express our satisfaction—as far as I am acquainted with the feelings of my friends around me—at the way in which the Government have dealt with this difficult question, and our thanks for the substantial concessions—I do not wish to use the word "concession" in any offensive sense—which the Government have made to us in regard to this matter. There were two points about which we were especially anxious. In the first place, we were anxious that the largest sum of money that could be obtained should be devoted to the purpose of relieving the people from the payment of school fees; and, in the second place, we were opposed to the original proposal that the Licence Duties should be left in the hands of the Local Authority, thereby, as many people in Scotland thought, giving the Local Authorities too direct an interest in the increase of those licences and producing evils which would be greatly deplored. The Government have succeeded in finding a way out of this difficulty, and at the same time of granting what we desired in respect to the relief of school fees. It is quite possible there may be points in this clause and in the scheme of the Government which we may find to be open to criticism when we have had a longer opportunity of examining them; yet I am sure that, in the main, the concession of the Government will be received with the greatest satisfaction in Scotland.

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MR. W. P. SINCLAIR (Falkirk, &c.) Before we part with the Bill I should like one or two points with respect to the allocation of the balance of the Probate Duties grant to educational purposes to be cleared up. The other day the Lord Advocate stated, in answer to a question I put to him, that the total amount of the funds available for the freeing of the compulsory standards was £265,000. The amount that is allocated now is £246,000. The small balance must be provided for from some source. I presume it will have to come from the rates. Is it quite clear that there is legal authority for applying monies derived from the rates to the freeing of education? Again, without desiring to anticipate the discussion that will probably arise on an Amendment on the Paper, I should like to ask what the effect of the abolition of school fees will be on the 9d. limit? It is known that the Government grant cannot be obtained by schools unless the average of fees is not over 9d. for the entire school. The average of 9d. is obtained by high fees in some classes and low fees in other classes; and I wish to know whether the abolition of the fees in the lower standards will take away the basis upon which the 9d. limit is calculated? In conclusion, I desire to join with the right hon. Gentleman the Member for the Stirling Burghs in thanking the Government for the great concession they have made to Scottish opinion and sentiment. I feel sure the Government will, in the long run, reap the benefit of the course they have adopted.

*MR. A. J. BALFOUR: I do not know that we can with advantage enter into the *minutiae* of the Government proposal at this stage. I will merely repeat that the sum of £245,000 is to be used for the purpose of diminishing school fees; but there is no proposal which the Government has in contemplation which will throw a fresh burden upon the rates or upon any Imperial source.

MR. BUCHANAN: I should like some information as to the section re-

lating to pauper lunatics. Are we to understand that, in future, the sums granted in aid of pauper lunatics are to be fixed?

MR. J. P. B. ROBERTSON: I do not think there is any ambiguity in the clause. It provides for the sum of £155,000 being devoted to this purpose.

MR. W. P. SINCLAIR: I understand from the right hon. Gentleman the Chief Secretary for Ireland that there is no intention of throwing any further burden upon either Imperial resources or upon the rates. If the £246,000 is not sufficient to free all the compulsory standards the balance must be found from some quarter. If from the rates, are the Government satisfied that there is statutory power to allow the ratepayers' money to be applied in this way?

*MR. A. J. BALFOUR: The Government do not propose to alter the law with regard to the power of school districts to rate themselves, or to make any enactments which will compel any school district to use the funds at its disposal for the purpose of making up any deficiency left after the grant has been exhausted in the manner I have indicated. I would remind my hon. Friend that in such large districts as Glasgow, on whom the financial strain to which he alludes especially comes, power is given to enable the Authorities to set up fee-paying schools.

Question put, and agreed to.

Clause added.

New Clauses (As to Secretary of Scotland's power respecting efficiency of police), (Supplementary provisions as to Local Taxation Account and Exchequer Contributions Account), read the first and second time, and added to the Bill.

New Clause (Payment of school fees from certain endowments), brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

SIR G. CAMPBELL: This is a very important clause, and I hope the Govern-

ment will not press it in a hurry: it raises the whole question of applying the funds of the needy poor to higher education. In the case of a trust in my constituency, it was proposed to devote the money to higher education. We succeeded in our resistance to the application, and the result was that a new scheme was made, and a considerable amount was allocated to the purposes of elementary education. If this money is to be devoted to higher education, and nothing else, great dissatisfaction will be created in the constituency I represent. At the time the endowment was made—[*Cries of "Time."*] This is a very important clause. If the Government are willing to give it up, or to modify it, I shall be exceedingly pleased to desist in my opposition.

MR. RITCHIE: It is of the greatest importance we should get this stage of the Bill to-night. The hon. Gentleman will have ample opportunity on the Report stage to discuss this point.

Question put, and agreed to.

Clause added to the Bill.

New Clause (Compensation to certain teachers for loss of school-fees), brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."—(*Mr. J. P. B. Robertson.*)

*MR. ESSLEMONT: I should like to know whether there is any chance of School Boards having any trouble as to remuneration in case of a change of teachers?

MR. J. P. B. ROBERTSON: I do not think there is any fear of that. The intention is to carry forward the rule laid down in the Act of 1872, and that rule provides that the teacher shall not stand in the way of any modification of the arrangement of the school, but should be entitled to compensation.

Question put, and agreed to.

Clause added.

New Clauses (Amendment as to fixing school fees), (Payment of school fees by parochial boards), read first and second time, and added to the Bill.

Schedule.

Members made and a decision proposed. That this be the Schedule of the Bill.

MR. GUNN, Secretary-Treasurer: I do not wish to say anything against the Bill, but I think it is a very good Bill, and I think it is a very good Bill, and I think it is a very good Bill.

Question put and agreed to.

It is agreed.

MR. GUNN, Secretary-Treasurer: I do not wish to say anything against the Bill, but I think it is a very good Bill, and I think it is a very good Bill, and I think it is a very good Bill.

It is agreed.

It is agreed.

It is agreed.

minutes and Ray reasonable time at this period of the session, and give ample opportunity for opposing Amendments. Members may desire to bring forward. It must be remembered, however, that the Bill has to be considered in another place, and it may be that it may come back to us with Amendments submitted for our consideration. I do not think I am asking too much when I ask the House to take Report on Monday.

MR. HENDER: Will the right hon. Member promise to reprint the Bill, as amended, as quickly as possible?

MR. W. E. SMITH: Most certainly. That shall be done with the utmost dispatch.

Question put and agreed to.

Bill is amended to be considered on a further text, and to be printed.

1870-1871.

THE HAVING ISLAND BILL.

It is agreed.

THE HAVING ISLAND BILL.

It is agreed.

THE HAVING ISLAND BILL.

It is agreed.

It is agreed.

HANSARD'S PARLIAMENTARY DEBATES.

No. 6.]

SIXTH VOLUME OF SESSION 1889.

[JULY 25.]

HOUSE OF COMMONS,

Wednesday, 17th July, 1889.

ORDERS OF THE DAY.

UNIVERSITIES (SCOTLAND) BILL. (No. 307.)

Order for consideration of Bill, as amended, read.

MR. HUNTER (Aberdeen, N.): The Amendment which I propose to move is one which relates to the constitution of the proposed University Court. I have placed on the Paper what are really three consequential Amendments, but the decision of the House upon the first will be conclusive in regard to the other two. The University Court, as it is proposed to be constituted, is one in which the professors will, under ordinary circumstances, have a governing voice. It is to consist, nominally, of 14 members, but practically of 13, and an average attendance of nine or ten is about as much as can be expected. Out of those nine or ten who will be actually present, under ordinary circumstances, there will be no fewer than five professors, including the principal, so that at an ordinary meeting of the University Court the professors will really have a majority. That is not the only point, because the assessors, although nominated by the Chancellor, are in many of the Universities practically selected by the professors; so that even supposing the representatives of the University Court were to be of a class that might be disposed not to be entirely subservient

to the professors, the professorial body would really have it all their own way. We know from past experience that that has been the case, and that the University Court has been entirely dominated in the interests of the professors. I have no kind of antipathy to the professors, but what I object to is to give a preponderating voice and vote to the professors in this particular body. The reason of that is that the University Court has no ground for its existence, and no object in the world except to control the professors. Therefore, we are in this ridiculous position—that we are to establish a University Court on the assumption that somebody is required to control the professors, and then upon the controlling body we are asked to place for all practical purposes a majority of professors. What are the functions which this University Court is to perform? It is only necessary to look into them to see how intolerable and absurd it would be to give the professors a preponderating voice. One of the functions is to review the decisions of the *Senatus Academicus*. After providing an appeal the Bill proceeds to appoint an appellate body in which the preponderating and governing voice is that of the professors themselves. There is another function of the University Court which is of the greatest possible importance. I mean the appointment of examiners, to see that fair play is given to the different classes of candidates for the various degrees conferred by the University. It is most important, if we are to have examiners at all from the outside, that they should be independent examiners who do not owe their position to the influence which it is their business to control. Perhaps I may be allowed to refer upon this point to the University

of Edinburgh. There is a degree granted by the University called the "B. D." degree. With rare exceptions the University Court appoints as examiner a divine of the Established Church, and consequently the control of the examinations is practically in the hands of the Professors of Divinity for the time being. In most cases the notes of the professors' lectures are made the texts of examination, and those persons who have not attended the Divinity lectures have had to encounter serious obstacles which have not confronted those who have attended the lectures. Everyone who has watched the Scotch Universities during the last 20 years must know that the professorial element is supreme, and that practically the examiners are appointed by the professors, which means that the very man appointed to watch the watchman is himself appointed by the watchman. That is bad enough now, but under this Bill things are made ten times worse. What was formerly an overpowering influence will become an absolutely irresistible and controlling influence. It is not a Bill that is calculated to improve the education in the Universities, or to do much good to education itself, but it consolidates and confirms the power of the professors, whose control of the Universities has already been the subject of much just animadversion. The University Court is the body which governs the whole of the University as an Appeal Court, and the constitution of that Court involves in reality the whole question of the government of the University. Under the Bill as it now stands, the popular representation which formerly existed has been, comparatively speaking, much diminished. One of the good things in the Scottish Universities hitherto has been the appointment of the rector and the rector's assistant by the students. At present the rector and his assistant form one-third of the Court, but as the Court is now proposed to be constituted they will only form one-fourteenth. The power of the students is reduced to an insignificant fraction, while the vested interest of the professors, in their own comfort, convenience, and sometimes in their own indolence, is multiplied by four. I think that I should be wanting in my duty if I did not use every influence in my power to prevent the

Mr. Hunter

Court from being so badly constituted as to be able to obstruct education, and promote only the vested and selfish interests of the professors. I maintain that to give this governing and controlling power to the professorial element is perfectly monstrous. I have no doubt the answer of the Lord Advocate will be that the professors and principals together are only five out of 14. That is true, but they are five who will always be on the spot, and, as a matter of fact, the total number is really 13, and not 14.

AN HON. MEMBER: There are the affiliated colleges.

MR. HUNTER: The affiliated colleges do not at present exist, and when they are affiliated they will send professors also, who will simply strengthen the professorial element. The five professors, out of a body consisting of 14, will be a solid body, always united and acting steadily together for the promotion of their own interests. The remainder, all told, are only nine; they are a fluctuating body, several of whom in all probability will rarely be present at the meetings of the Court. I beg to move the Amendment which stands in my name.

Amendment moved, in page 2, line 37, to leave out the words "three assessors," in order to insert the words "one assessor."—(*Mr. Hunter.*)

Question proposed, "That the words 'three assessors' stand part of the Bill."

DR. FARQUHARSON (Aberdeenshire, W.): I cannot say that I have been entirely convinced by the argument of my hon. Friend. In fact, the concluding part of his speech answered the first, because, after all, he showed that the professors are to form a small part only of the University Court. In the University of Edinburgh there are nine representatives who may be said to be popularly appointed, and only five who represent the professorial element. My hon. Friend implies that the nine will absent themselves and do their duty imperfectly, but I think that those who have to elect the members of the Court will take care that the persons they select are persons who will properly discharge the duties, and who will attend on all fitting occasions. Considering the work which seven professors have to do, and

the great stake they have in the Universities, together with the fact that the Court will have to control the funds and the property of the Universities, I think there is every reason why they should be substantially represented in the Court, and be able to watch any proceedings that may be taken, not only against the University, but against themselves. Therefore, I am not, on the whole, disposed to follow my hon. Friend. Mention has been made of the election of examiners. So far as the appointment of medical examiners is concerned, I am of opinion that the appointment has invariably been a good one. To imagine that the Court would feel the slightest desire to perpetrate a job is altogether illusory, and the gentlemen selected for examiners are invariably unknown to the candidates. Hitherto the work of examination has been extremely well done. For these reasons I am in favour of the three assessors proposed by the Bill, and I do not think that it will give a preponderating influence in the University Court to the professorial element.

*MR. J. A. CAMPBELL (Glasgow and Aberdeen Universities): My hon. and learned Friend the Member for Aberdeenshire (Mr. Hunter) has given a somewhat extraordinary account of the object of this Bill. According to my hon. Friend, the object of the Bill is to strengthen the position of the professors. Now, the real object of the Bill is to carry out certain reforms recommended by the last University Commission, with the light which has been thrown upon the subject since. Its object is in no sense to strengthen the position of the professors. My hon. Friend seems to have a very low opinion of the motives of the professors. He says, in fact, that their only object is their own personal interest and advancement. Now I do not know what should make a professor so much worse than any other man, and I think we shall find in the University Court, as it is proposed to be constituted, that we shall receive very great assistance from a few members of that despised class. My hon. Friend says the duty of the Court should be to control the professors, but the great business of the Court is to administer the affairs of the University, and in doing so why should it not receive the assistance of some of those who have

had the chief charge hitherto of University administration. So far as I am aware there has been no allegation that the affairs of the Universities have not been well managed. I believe that the Bill gives full security against anything in the shape of narrowness, and that the Court to be elected under it will be one which will command the confidence of the country. The Court will consist of 15 members, without counting those who may be appointed afterwards by affiliated colleges, and out of that number there will only be five professors. I trust that the Government will not accept the Amendment.

The House divided:—Ayes 115; Noes 37.—(Div. List, No. 218.)

*MR. J. A. CAMPBELL: I beg to move in Clause 5, page 2, line 38, after "colleges," to insert "not exceeding four in all." The object of the Amendment is to replace some words which were removed from the Bill in Committee with the addition, a little further on, of words which, to a certain extent, will modify the effect of this Amendment. My object is to prevent the University Court from being unnecessarily large, and also to prevent it from becoming flooded with an excess of one particular element. There has been a general complaint that the University Court, as proposed by the Bill, is, if anything, somewhat too large in its numbers, and yet, as the Bill stands, there is no limit placed upon the additional representation of colleges which may be affiliated to the Universities. The words which I propose to reintroduce were in the Bill of last year, which was discussed in another place. That Bill was before the public in Scotland during the winter, and was much discussed both in the Press and in University circles, and at meetings of the General Council. At the meeting of the Glasgow Council there was no objection to the limit proposed in the Bill. All I propose now is to reintroduce the limitation with a provision giving power to the Commissioners, and after them to the Universities' Committee of Privy Council, to amend the limit of four assessors if special circumstances seem in any instance to require it.

Amendment proposed, in page 2, line 38, after the word "number," to

insert the words "not exceeding four in all."—(*Mr. J. A. Campbell.*)

Question proposed, "That the words 'not exceeding four in all' be there inserted."

***MR. C. S. PARKER** (Perth): As a matter of form I think the hon. Member would do better to let the words follow the word "number." In substance I entirely agree with the argument he has used. I hope the House will understand that the effect of the words proposed would not be to reverse the decision arrived at in Committee, but only to modify it. There is nothing in the Amendment to set bounds to the representation of affiliated colleges in the future, the only question is as to the present. While we are in a state of transition, it would not be well to disturb the balance by the introduction of this new element in such proportions as to outnumber the representatives of the General Council or of the Senate. The Amendment must be taken in connection with a proviso which is to follow. It is not intended by my hon. Friend even during the existence of the Commission to prevent their increasing the number beyond four, should new circumstances arise. And after the expiration of the Commission he would leave the Universities Committee free to make such arrangements for the representation of affiliated colleges as may be found expedient. I do not know what may be the opinion of hon. Members who are Commissioners on the point, or whether they consider themselves at liberty to express an opinion; but so far as I have had any communication with the Commissioners on the subject, I believe they would prefer, upon the whole, not to have the power placed in their hands of going beyond the number of four. Because if they had that power, and if it should happen that more than four colleges should apply for affiliation, they would find it difficult to refuse representation.

***MR. WALLACE** (Edinburgh, E.): I cannot say I have heard anything to convince me that the change made in Committee was an improper one, and I would much prefer to leave the matter as it stands. To make the alteration proposed will discourage the affiliation of colleges beyond the number of four, because when that number of colleges become affiliated any other colleges who

may desire affiliation will be discouraged by the circumstance that they cannot get a thorough representative of their own interests upon the Governing University body. I think it would be very much better to leave this matter to the discretion of the Commission and the University Committee, as the Committee of the House thought it better to do. I have heard no reason advanced why we should go back from the position arrived at in Committee after due discussion.

MR. J. B. BALFOUR (Clackmannan, &c.): I hope on consideration the Government will accept this Amendment. The scheme of the Bill in regard to the University Court is to give an indication by numbers of the representation of the different professors and interests, and on that basis the Commissioners have a very distinct guide as to what they shall do, in fact more than a Parliamentary indication of what they shall do as regards all the other interests. I admit there is a difference in the case of affiliated colleges, for it is impossible quite to know how many colleges may come forward and in course of time be affiliated; but the fact of this being undetermined and impossible of determination seems to make it necessary or advantageous that the Commissioners in the performance of their duty should have a Parliamentary guide or indication as to what the proportion of representation of affiliated colleges is to be. Now there is a proper latitude given by Section 15, but this does seem hardly enough, because if they do not get some indication, the Commissioners might not be aware of what Parliament did or did not intend under certain conditions, and might join members to a fixed unalterable body, until the latter become swamped by the additions from the outside. I think then it is desirable there should be some indication by Parliament. Then what should that indication be? The hon. Member for Glasgow University proposes to revert to the number of four, and that does seem to me a fair number to represent the external or affiliated interest. It should not be forgotten that the term affiliation which is used has an interpretation which is not altogether sentimental. These colleges will be daughters or children of the University, their Alma Mater. That is the idea; and there

should not be the possibility of any dread of an undue or preponderating influence to subvert that which should be the right of the fixed body, who are not elastic like the others. I think the House will do well to accept the Amendment.

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I agree with the hon. Member for Perth (Mr. C. S. Parker) in thinking that should the House proceed to adopt the Amendment that would not in any sense be reversing the decision come to by the Committee of the House. The question that was before the Committee was this—whether there should be a fixed and final number of four, or whether some more elastic power should be conferred on the Commission, such as is presented in the proposal of my hon. Friend the Member for Glasgow University. The reason that moved the Committee to put the Bill into its present form was the desire that there should not be a fixed and definite rule that would exclude further representation of the affiliated colleges afterwards, should the number of these render it necessary that there should be a change in the representation. I say this with the more readiness because I was a party to the decision of the Committee. Had this Amendment been put before the Committee, I think the Committee would have adopted this as solving the difficulty. We are now quite prepared to accept the Amendment of my hon. Friend.

Mr. CRAIG SELLAR (Lanarkshire, Partick): The hon. Member for Perth (Mr. C. S. Parker) said he did not know whether those who are nominated to the Commission should or should not express an opinion on this matter of the constitution of the University Court. For myself, I am strongly of opinion that we whose names are proposed as Commissioners ought to be very chary as to what opinions we now express upon matters that will come before us for consideration as Commissioners; but this is a question as to leaving the Commissioners with discretion in this matter. Speaking for myself, and for those of my colleagues on the proposed Commission with whom I have spoken on the subject, we should very much prefer that our discretion should be limited in this matter, and that

for many reasons. It is quite obvious that pressure might be brought to bear upon us directly or indirectly in this matter that would be difficult for us to withstand, or anyhow, that would be embarrassing. For that reason I think our discretion should be limited. A more important reason is that which has just been referred to—that in the case of all the other representatives the number is fixed, and I cannot see why the number should not be fixed on this point, at least at the beginning. But if there are many colleges to be affiliated the proportion may be changed, under the proviso to enable future representatives to be appointed in course of time. The opinion of the Committee was that the number should not be excessive, and under the Amendment the number will not be excessive. For these and other reasons which it is scarcely necessary now to urge I hope the Amendment may be accepted.

Mr. F. S. POWELL (Wigan): This is one of the few parts of this Scotch Universities Bill upon which an English Member may be permitted to express an opinion in a very few words. I hope that in future some of the colleges that may be affiliated may be situated south of the Tweed, in England; and it seems to me, after careful consideration of this possibility, that the colleges should not have so large a representation as to swamp the governing body of a Scotch institution. I do not think that would be fair to the Scotch University or just to the English colleges who become associated or affiliated, for they would desire to become associated with the Scotch Universities as they are, and not as they may become changed or modified by a large representation of English colleges. On this ground, and in the behalf of English colleges that may be affiliated, I hope the House will agree to the Amendment.

Mr. BRYCE (Aberdeen, S.): The hon. Member has given an illustration that appeals very forcibly to us, as a reason why this Amendment should be accepted. The provisions as to affiliation are of a very experimental character. I believe it had not occurred to any of us that English colleges may apply for affiliation, but it is, I admit, perfectly possible under the Bill; and when we

are entering upon such an experimental course as affiliation, it is undesirable to excite the apprehension of a possibility of such an enlargement of the University Court in such a way as has been suggested, and as the present form of the Bill would permit. I would also observe that under the powers of election given to the General Council this representation may come in.

Mr. CALDWELL (Glasgow, St. Rollox): I would point out that the power of the Committee to admit a number of representatives is the same under the Bill as it is as under the Amendment, taken in connection with the proviso. There is no limitation of their power to appoint as many as they think fit. All that the Amendment suggests or indicates is that, in the opinion of Parliament, the number should, as far as possible, be restricted to four representatives of affiliated colleges. The Committee will have before them this suggestion—that it is not desirable to have too many representatives, and that they should not throw all the representation upon the first affiliated colleges, but take into consideration the future affiliations that may take place.

The House divided:—Ayes 129; Noes 54.—(Div. List, No. 219.)

*Mr. J. A. CAMPBELL: My next Amendment is not important now that the number is restricted, and I do not propose to move it. I move the consequential Amendments on line 11, page 3.

Amendments proposed:—Clause 5, page 3, line 11, after “number,” insert “not exceeding four in all”; line 24, after “number,” insert “not exceeding four in all”; line 37, after “number,” insert “not exceeding four in all.”

Amendments agreed to.

*Mr. J. A. CAMPBELL: I now beg to move the insertion of the proviso by which I propose to give power to the Commissioners, and, after the expiration of their powers, to the University Committee of the Privy Council, to increase the number of representatives of colleges, if special circumstances, in their judgment, seem to require that increase.

Amendment proposed, Clause 5, page 3, line 40, before “seven members,” insert—

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“Provided always that the total number of representatives of affiliated colleges in the University Court of any University may be increased by the Commissioners or, after the expiration of their powers, by the Universities Committee, if, in their opinion respectively, special circumstances should arise to require such increase.”

Amendment agreed to.

Amendments proposed:—Clause 5, page 4, lines 8 and 9, leave out “in the case of the three assessors to be first elected by the General Council”; line 10, after “years,” leave out to “body,” in line 13; line 15, after “be,” insert “nominated or”; line 27, leave out “Commissioners,” and insert “assessors.”

Amendments agreed to.

*Mr. J. A. CAMPBELL: I now beg to propose to delete the words in lines 37 and 39 which were introduced in Committee without discussion. The proposal in the Bill is that no member of the *Senatus Academicus* shall vote or take part in the election of any assessor of the General Council. The members of the *Senatus Academicus* are members of the General Council; but in this sentence they are selected for disfranchisement for no particular cause. It appears to me a very invidious and unnecessary provision, and it is difficult to see why they should be selected for this particular disfranchisement. It may be said that they elect assessors from the *Senatus Academicus* to the Court themselves, and that members of the General Council take no part in that election. That happens because members of the Council are not members of the *Senatus*. But why should not the members of the *Senatus* take part in the elections of a body of which they are themselves members? In case it should be thought their influence would be too great I will mention their numbers in proportion to the whole body of the General Council. At St. Andrew's they are 14 in a General Council of 1,500; at Glasgow, 29 in 4,500; in Aberdeen, 23 in 3,100; in Edinburgh, 40 in 6,000. Why should this small number of 106 be prevented from exercising their functions in a body of 15,000? I cannot see any reason, and therefore I move to delete the words.

Amendment proposed, in page 4, line 37, to leave out from the word “retired,” to the end of line 39.

MR. J. P. B. ROBERTSON: I cannot agree to this Amendment. We have conferred upon the Senatus Academicus separate representation on the University Court, which we think adequate though not excessive, and I feel bound to preclude them from having part in another representation. I cannot give way on this point.

MR. HUNTER: I should like to point out to the House the motive, the animus, that has guided the hon. Member in this Amendment. Not content with having a preponderating power for the professors in the University Court, he actually objects to excluding them from interference in the election of members of the Council where their influence is still most powerful.

*MR. C. S. PARKER: I should like to ask what is the meaning of the words "shall not be entitled to take part in the election." Will a member of the Senatus be subject to any penalty if he gives advice, or canvasses with a view to any such election?

MR. J. P. B. ROBERTSON: I confess I do not attach much value to the words, but I think they had better stand. My only doubt is whether a member of the Senatus should remain in the chair supposing an election is going on. On the whole I think it better to keep in the words.

*MR. J. A. CAMPBELL: I will not press the Amendment in view of the discouragement expressed by my right hon. Friend.

Amendment, by leave, withdrawn.

Amendments proposed, Clause 5, page 4, line 39, after "Council," insert "of that University;" Clause 6, page 6, line 8, after "thereof," leave out "if any."
—(*The Lord Advocate.*)

Amendments agreed to.

*THE SOLICITOR GENERAL FOR SCOTLAND (MR. M. T. STORMONTH DARLING, Edinburgh and St. Andrew's University): I beg to move after "colleges" to insert "thereof existing at the passing of this Act." There might be an ambiguity if we left the clause as it is. It would certainly be wrong for Parliament to give power to the Commissioners or the University Court to appoint from among the members of the Senatus Academicus persons to manage museums and libraries of independent colleges having nothing to

do with the University at all, and it is therefore in the interest of independent colleges that these words should be inserted.

Amendment proposed, Clause 6, page 7, line 19, after "colleges," insert "thereof existing at the passing of this Act."—(*Mr. M. T. Stormonth Darling.*)

Question proposed, "That those words be there inserted."

MR. CALDWELL: Has the hon. and learned Gentleman considered the question of Dundee? The provision of the Bill is that it will form part of St. Andrew's, and I think that these words would interfere with that.

*MR. M. T. STORMONTH DARLING: The Commissioners will have power under the special clause to make all necessary arrangements for the future relations of the University with Dundee College, if affiliation should take place, but until affiliation does take place it would be just as wrong in that case as in any other to provide that the University should have any control over the College.

Question put, and agreed to.

*MR. J. A. CAMPBELL: I beg to move the Amendment standing in my name. The object is to give to the University Court the election of the representative of the University on the General Medical Council. This election has hitherto been made by the Senatus Academicus, and some doubt has been expressed as to whether the Senatus was the proper body to make the appointment. Now that, under this Bill, the University Court is re-constituted with increased administrative powers, it appears to me to be the proper body to act as representing the University in such a matter as this election.

Amendment proposed, in page 7, line 28, after the word "Court," to insert as a new sub-section—

"To elect the representative of the University on the General Medical Council, under 'The Medical Act, 1886.'"—(*Mr. James Campbell.*)

Question proposed, "That those words be there inserted."

SIR WALTER FOSTER (Derby, Ilkeston): I cannot consent to this Amendment being passed without giving some reasons against it. There is an Amend-

ment farther down in the Paper in the name of the right hon. Gentleman the Member for Bridgeton (Sir G. Trevelyan), which proposes that the representatives shall be elected by the General Council of each University, and that seems to me infinitely preferable to this proposal. The members of the General Medical Council are elected for the purpose of regulating medical education generally in the interest of the whole medical profession, and I think it is only right that the whole of the medical graduates of the University affected should have the duty of selecting their representatives. Such representatives ought to feel that they are backed up by the whole of the medical graduates and not by a few professors. I think it would give much greater satisfaction to the medical profession in Scotland, and add to the strength and importance of these representatives, if they were elected by a more extended constituency.

*MR. M. T. STORMONTH DARLING: The Government are favourable to the Amendment of my hon. Friend, and, therefore, opposed to the other Amendment to which reference has just been made. The simple question is, what is the best body to elect a representative on the General Council in the interest of medical education, and how will a person qualified to represent this particular medical school be best obtained? I think the natural body to elect such a person is the governing body. The inconvenience of an election by, in some cases, 6,000 persons is obvious. The task could not be safely intrusted to so large a constituency, and above all to a mixed constituency.

*MR. CAMPBELL-BANNERMAN (Stirling, &c.): In order to form an opinion on this point, I should like to know what is the particular body at Oxford and at Cambridge which elects the member to represent them on the Medical Council?

MR. F. S. POWELL: I am informed that, at Cambridge, the medical representative is chosen by the Council, which consists of Masters of Arts and those of a higher degree residing within a certain distance of the University.

*MR. D. CRAWFORD (Lanark, N.E.): I think that the Congregation appoint the delegate at Oxford, and that is

certainly not a body corresponding to the University Court.

MR. BRYCE: I cannot agree that the Congregation at Oxford does not correspond to some extent to the University Court in Scotland. I am glad the Government are going to support this Amendment, because I believe it is very undesirable that we should add to the number of contests carried on by means of voting papers and circulars in the Scotch Universities. I should much prefer to have the election made by the University Court.

MR. CRAIG SELLAR: I very much agree with the last speaker. How is the election to be decided in the case of a contest? Are you to have the contest carried on by the enormously expensive means of circulars and voting papers? I think that the Court is a much more reasonable electoral body.

*DR. McDONALD (Ross and Ormarty): I think it would be a very great pity that the representatives of the Universities on the Medical Council should be mere nominees of the Court, and I think it would give the representative on the General Medical Council much greater weight if he were elected as in the past. Objection has been taken to the expense of these elections as carried on now, but I do not know that the expense is anything considerable at all. I wish to see the Medical Council carry weight among the medical men in this country, and I am certain it would not carry such weight as it does now if the representatives went to the Council merely to support the interests of an individual school.

*MR. C. S. PARKER: I think that scattered as graduates are all over the country, and most of them having no special connection with the medical profession, we are more likely, on the whole, to get good men to serve on the Medical Council by making the constituent body the University Court, than by adopting the proposal of the hon. Baronet (Sir W. Foster).

MR. CALDWELL: I must oppose the Amendment. Anyone who is elected by such a body as the University Council will necessarily be in a position of eminence, and another advantage of having an extended constituency is that you will interest the whole medical profession in the work of the Medical Council.

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DR. FARQUHARSON: The Debate which has taken place has persuaded me that the best course will be to let the whole body of graduates elect the representative. There are no doubt objections to such a course, but I think that the balance of convenience is on the side of having a large constituency.

The House divided:—Ayes 126; Noes 76.—(Div. List, No. 220.)

MR. J. P. B. ROBERTSON moved, in Clause 7, page 8, line 3, after "colleges," insert "thereof existing at the passing of this Act."

Question, "That those words be there inserted," put, and agreed to.

MR. CALDWELL: I think that the 10 for each 1,000 is too large for a quorum, and according to the clause here power would be given to the University Board to increase that quorum, and I think that would be a most unfortunate state of matters. The number of 10 was fixed after very careful deliberation, and, surely, no circumstances can arise to necessitate an alteration in the extent of that quorum. I, therefore, move, Clause 8, page 8, lines 16 and 17, leave out "such number not less than."

Amendment proposed, in page 8, lines 16 and 17, to leave out the words "such number not less than."—(Mr. Caldwell.)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. M. T. STORMONTH DARLING: This is not a very important matter; at the same time, the hon. Member wishes the Bill to be so framed as to apply to all the Universities of Scotland. I may say that we are quite prepared to accept another Amendment of the hon. Member, which proposes to insert the word "complete." When you recollect that the Council is a deliberative body, besides having power of voting, I think it will be seen that it would really be absurd to fix the limit suggested. It would be better to leave it to the latitude and discretion of the University Court, giving them not less than 10 for every completed 1,000.

*MR. WALLACE: The only way of dealing with this matter is to bring up a new clause. The other

three Universities should not have their interests sacrificed simply for the sake of uniformity.

MR. HUNTER: I hope the Government will concede this small Amendment, seeing it is not a question of first-rate importance. Ten will be an ample quorum.

MR. J. P. B. ROBERTSON: I think it will. When there is an attendance it should be sufficient, and I do not suppose a smaller quorum than 10 to every 1,000 would exercise any influence on public affairs.

The Committee divided:—Ayes 120; Noes 86.—(Div. List, No. 221.)

MR. HUNTER: I have now, on Clause 7, to move the omission of the words "Alexander Smith Kenniar, Esq." I think it is very desirable that we should know the intentions of the Government with respect to the composition of this Commission. There are to be 15 members of the Commission, but among those nominated there is not one who knows anything whatever of the system in vogue at the University of Aberdeen. There is one gentleman named who, prior to the year 1860, was a member of one of the colleges that formerly existed in Aberdeen, but he knows nothing of the system that has existed there for the last 30 years. When this subject was under discussion in Committee I addressed an appeal to the right hon. Gentleman the First Lord of the Treasury with reference to the composition of this Commission. It was then arranged that four names should be added. I put in three on behalf of the University of Aberdeen, and certainly from what then occurred I was not prepared for the formation of a Commission not a single member of which can be said to represent one of the most important Universities. Now, there is one reason in particular why Aberdeen should have a representative. In that University alone, of all the Scotch Universities, we have practically free education. The number of bursaries is exceptionally large in the Arts classes, and most of them by open competition. You have practically in Aberdeen what you get in no other University in the world—namely, a free education for every boy who, in competition, shows he is capable of taking advantage of Uni-

knowledge of the matter under examination. I do, therefore, hope that the Government even at this stage will try to give Aberdeen satisfactory representation, and will thus deal with this matter in a conciliatory spirit. I have an Amendment down suggesting the name of one eminent person; but at this stage I do not think I am entitled to state his claims to be added to the Commission. Still, I would urge the Government to give consideration to those claims.

MR. ESSLEMONT (Aberdeen, E.): I think the Government should grant this concession, which is fair and reasonable. I am not entitled at this stage to speak of a gentleman whose claims to sit on this Commission will not, I think, be disputed by right hon. Gentlemen opposite. It is only fair I suggest that Aberdeen University should be represented; and I hope the Government will, at any rate, consent to the addition to the Commission of the gentleman who will be proposed by the hon. Member for South Aberdeen; otherwise I fear we shall have to enter on a most undesirable contest. The Government, by making this concession to the University of Aberdeen, will save a long wrangle with regard to the composition of the Commission, and will prevent the necessity arising from a series of Divisions.

*THE CHIEF SECRETARY FOR IRELAND (MR. A. J. BALFOUR, Manchester, E.): I must say I view with some apprehension the course the House is now embarking upon of discussing the names of the Commissioners, for the Debates must be unpleasant not only to those who are the subjects of them but also to those taking part in them. It is admitted that the numbers of the Commission ought not to be increased. If, then, we carry out the suggestion of the hon. Member it must be by omitting one of the names which has run the ordeal of discussion by a Committee of this House. The Government have somewhat reluctantly accepted the principle that there should be on the Commission advocates of particular interests. We do not pretend we think that to be the best plan; but we made the concession after consultation, both in public and private, with right hon. and hon. Gentlemen opposite, on lines so wide that we hoped, and had reason to hope, we should be

spared these painful, disagreeable, and unprofitable discussions as to the qualifications of particular individuals. I do not pretend there has been any breach of faith; but I contend that the Government had grounds for hoping and expecting they would have been saved this discussion on Report. The Government have made special and serious efforts to obtain persons in every way qualified for the work, and they do not think that in respect to Aberdeen any injustice will be done. The hon. Member for North Aberdeen, who has taken so useful an interest in these discussions, has pointed out that the enormous number of bursaries in Aberdeen makes an essential distinction between education in that University and in other Universities. I frankly admit there is a distinction to be drawn between the University of Aberdeen and other Universities in Scotland; but nothing that has been said in this House has convinced the Government that those gentlemen who form the Commission are not fully acquainted with what Aberdeen requires. That being so, and the difficulties and objections to prolonging this discussion about the qualifications being so great, I earnestly ask the House to acquiesce in what has already been accepted in Committee as a fair compromise of the matter, and allow the names now on the Paper to stand unchallenged.

*MR. O. S. PARKER: I agree with the right hon. Gentleman that it is an unpleasant and invidious task to discuss these names, and to go through the list with a view to finding room for another Commissioner. I feel personally so strongly on the point that I am not prepared to vote against any particular name. It seems to me the best solution of the difficulty would be to add another name to the Commission. The right hon. Gentleman opposite suggests that that is impossible; but where, I may ask, does the impossibility arise? I am sure the people of the North of Scotland will not be content with this Commission unless they have on it a spokesman well acquainted with the modern conditions prevailing in Aberdeen. I think it will be a great pity if the Government do not make this concession, for Aberdeen stands in an exceptional position, in consequence of the number of bursaries being such as to give every boy of good

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ability in the neighbouring counties an opportunity of attending University classes. The district, too, differs from the rest of Scotland, in that many Masters of Arts are to be found teaching in the ordinary parish schools.

MR. ASHER (Elgin, &c.): I find it impossible to give a silent vote upon this question. My hon. Friend the Member for Aberdeen has moved to omit the name of Mr. Kenniar, which stands first on the list of proposed Commissioners. Now, had his name been challenged on the ground that he ought not to be a Commissioner, I should not have supported the Motion. But the Motion is raised for the purpose of protesting against the manner in which the University of Aberdeen has been treated in the composition of this Committee. I sympathize most fully with what has been said as to the invidious character of these proceedings, supposing it becomes necessary to deal in this manner with each name; but I think my hon. Friend has excluded the invidious character by taking the course of challenging the very first name, although it is one to which no exception has ever been taken. As a member of the University of Aberdeen, I protest most strongly against the way in which the University has been treated; and, while I shall vote for my hon. Friend's Motion, I desire it shall be understood that in so voting I am not expressing any opinion hostile to the name of Mr. Kenniar.

The Committee divided:—Ayes 168; Noes 87.—(Div. List, No. 222.)

MR. HUNTER: I now beg to move another Amendment, to omit the name of the Marquess of Bute. The Forms of the House precluded me from making any answer to the observations that were addressed to the House by the right hon. Gentleman the Lord Advocate; but I am bound to say that his statement was characterized by a great want of knowledge and information regarding the University of Aberdeen. It convinced me, if further evidence were necessary, of the absolute necessity that there should be on this Commission some one acquainted with that University. As a fact, there is no one knows anything about the system of Arts prevailing there, both in its relation to the University itself and in the relation it

bears to secondary education in the North of Scotland. Of course, the whole system of education in the North of Scotland is dominated by the University of Aberdeen; and I think it is perfectly monstrous that the Government, seeing that Aberdeen is not represented on this Commission of 15 members, should persist in their attitude, and force us to discuss the names *seriatim*. The right hon. Gentleman the Lord Advocate has referred to one gentleman connected with the medical profession, who attended some classes at Aberdeen prior to the year 1860. But he was not a distinguished student of the University. I do not find his name in the records of distinction in any college, and I deny that he has the necessary knowledge or qualifications to fit him to represent the University. Because my right hon. Friend the Member for Stirling Burghs entered into an arrangement without consulting the Scotch Members generally, it is no reason why we should allow such a gross and indefensible defect to remain in the constitution of the Commission. It is disgraceful that we should be forced to discuss individual names in this way. It so happens that the nobleman whose name I am now obliged to move the omission of has taken special interest in one of the Scotch Universities. He has unexceptional claims to be a member of this Commission, and, therefore, I move the omission of his name not with the desire that it should be omitted, but in order to raise the question of the position of Aberdeen. I have now a suggestion to make to the Government. There is nothing sacred in the number fifteen, then why should you not solve the difficulty by adding one more member to the Commission? Our demand is an extremely moderate one; we ask for the placing on the Commission of only one person who is acquainted with the system of Aberdeen University, and in this we have the support without exception of all the Members for the North of Scotland. I hope the Government will give us an intimation that they will accept the name of the gentleman to be nominated presently by the Member for South Aberdeen, and who is one of the very few really distinguished men who have been connected with this University.

Amendment proposed, in page 9, lines 5 and 6, to leave out the words, "the Most Honourable John Patrick Crichton-Stuart, Marquess of Bute, K.T."—(*Mr. Hunter.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

*MR. CAMPBELL-BANNERMAN : I should think that the desire uppermost in the minds of all of us is to avoid if possible debating these names. The hon. Gentleman who has just spoken has referred in rather pointed terms to the share I have had in the negotiations on this matter, and has, as usual, found fault with the Front Bench. But when he has sat as long on this Bench as it has been my misfortune to do, he will have become hardened to attacks of that nature, and will know that in the simple endeavour to do one's duty it is impossible to please everybody. But now to come to the real point at issue. I entirely agree with my hon. Friend that there is a strong case for having a direct representation of the University of Aberdeen on this Commission. I should have been glad if it had been possible to include in the four names which have been suggested by the Government, and which stand in the Lord Advocate's name on the Paper, an Aberdeen representative who possesses the other qualifications. That would have been the best solution of the difficulty. But the Government have found it impossible to do so. I think it is most necessary that the two great associations connected with the Glasgow and Edinburgh Councils should be represented, and in my judgment the names of Dr. W. Graham Blackie and Dr. Patrick Heron Watson adequately fulfil that condition. But why should not the Government add an Aberdeen representative to the Commission? My hon. Friend (Mr. Bryce) has suggested the name of Dr. Alexander Bain, who occupies a comparatively neutral position in regard to these academic questions. He is not an advocate of the views either of the present teaching body or of their opponents, and I think that is a strong recommendation in his favour, for the addition of his name would strengthen the Commission without affecting the balance of the opposing forces on this question. I think the acceptance of his

name would be the shortest solution of this difficulty. The hon. Member for East Aberdeenshire was a most savage opponent of a large Commission, yet I think he will assent to this addition to the Commission, and we should thus effectually avoid the difficult and delicate task of discussing the claims of individual Commissioners.

MR. W. SINCLAIR (Falkirk, &c.): I should on this point be very glad if the Government could see their way to adopt the suggestion first made by the hon. Member for North Aberdeen, and so warmly taken up by other Members, that is, to add another gentleman to the Commission who would specially represent the University of Aberdeen. I do not press this so much in the interest of Aberdeen University as in the interest of those who look up to Aberdeen, because, as my hon. and learned Friend has said, Aberdeen has a very peculiar connection with teachers throughout Scotland. I know how very much teachers of elementary and secondary schools throughout Scotland are looking forward to the results of this Commission, and on this ground, if on no other ground, I trust the Government will see their way to add this sixteenth member. If they do not do that, however, I should not be able to vote against any of these names in this clause. I do trust that the Government will remove all difficulty by adding a sixteenth name as suggested.

*MR. ESSLEMONT : As no exception was taken to the language I must accept it as in order when the right hon. Gentleman described my conduct in this matter as somewhat savage. But I desire a word of explanation. Holding strongly as I do that it is better to have a small number of Commissioners, still I am anxious that we should not be put to the painful necessity of discussing the claims of these fifteen gentlemen in succession in order that we may do justice to Aberdeen, and I should—I hope I may say as usual—be willing to make a very large concession in order that we might get out of this somewhat painful operation that we think necessary in the interests of Aberdeen University. I hope the Government will see there is a desire on all sides to meet them fairly, and will concede this point in order that we may proceed with the other clauses of the Bill.

MR. BUCHANAN (Edinburgh, W.): I hope we shall not go on dividing against each name—for it is acknowledged that all of these gentlemen are well qualified for the position to which they are nominated even by those who urge the uncertain claims of Aberdeen University to representation. I feel there is such practical unanimity that the peculiar educational position of Aberdeen University has not adequate representation on this Commission as it stands, that though we are opposed to the increase in the size of the Commission, yet, seeing that a sixteenth name will not make much difference, the Government might well agree and make the addition. I hope we shall not embark upon an unseemly wrangle over these 14 names, but that the Government will consent to the nomination of this distinguished Aberdonian or some other representative of that University.

MR. BRYCE: I waited until the last moment in the hope that a Member of the Government would rise to answer the appeal and bring this discussion to a close. I must warn the Government of the strong feeling which exists on this side of the House on this subject. We have proposed a name which will be generally acceptable to University reformers in Scotland, the name of one who, besides being an ex-student of Aberdeen and a distinguished professor there for a long time, though now retired from the active work of teaching, and who cannot therefore be looked upon as a direct representative of the teaching staff, has twice had the distinguished honour conferred upon him of being chosen Lord Rector of the University by the votes of the students. I do not know what practical objection there can be to this nomination which will satisfy all who have the interest of Aberdeen University at heart. The Government will greatly facilitate the course of business if they will consent at once to the nomination of Dr. Bain.

DR. CAMERON (Glasgow, College): I understand and perfectly appreciate the motives that have induced my hon. Friend to adopt the course he has taken in reference to the names on this Commission, and I must admit his reasons as he has put them before the House are unanswerable. But I do not feel that I can vote against this name, and for this

particular reason—The Marquess of Bute is a nobleman who has done a very great deal for Glasgow University; he has spent a large sum of money upon various good works for the University, and his name is identified with it. Moreover, he is a gentleman of education and research, and eminently qualified for a seat on the Commission. I think, instead of moving the omission of names, the less invidious course would be to move the Adjournment of the Debate so as to give time for coming to an agreement. I therefore propose that the Debate be now adjourned.

MR. PROVAND (Glasgow, Blackfriars, &c.) formally seconded the Motion.

Motion made, and Question proposed, "That the Debate be now adjourned."—*(Dr. Cameron.)*

*MR. A. J. BALFOUR: I hope the hon. Gentleman will not press the Motion. Everybody must admit that the Government have not shown themselves unreasonable, nor averse to taking suggestions from any quarter of the House. We share the opinion of Gentlemen on the other side that the Commission, as now proposed, is large enough, but we might consent to the addition of one or two names. Hon. Gentlemen opposite are not content with this. They want the Government to add a particular name—the name of a distinguished gentleman, whose claims have been advanced by the hon. Member for Aberdeen, and that, I think, is carrying the matter much too far. We have shown ourselves prepared to make all reasonable concessions, but we do not think we ought to be bound under threat—I will not say of obstruction, because that would be unparliamentary—but under a threat of long delay, to go back upon a compromise accepted solely for the sake of hon. Gentlemen opposite, to be bound not merely to the general principle they advocate, but to the particular mode in which they want to carry it out.

*MR. CAMPBELL-BANNERMAN: I do not think the right hon. Gentleman is entitled to speak of obstruction by Members on this side—[MR. A. J. BALFOUR: I did not]—even in the insinuating way in which he alluded to it. There is no obstruction in the matter. What my hon. Friend says he is going

down to the words "Donald Crawford, Esquire," inclusive, in line 12, stand part of the Bill.

*MR. SPEAKER: The question is, that the Question be now put, and that the words down to "Donald Crawford, Esquire," inclusive in line 12, stand part of the Bill.

*MR. WALLACE: I have an Amendment on the Paper, Sir, which I wish to move.

*MR. SPEAKER: It cannot be done. The Question must now be put.

*SIR W. FOSTER (Derby, Ilkestone): I rise, Sir, to a point of order. The right hon. Gentleman did not use any words about the Question being now put.

*MR. SPEAKER: I put that Question from the Chair.

*SIR W. FOSTER: I am referring, Sir, to the original Motion moved by the right hon. Gentleman. These words were not used in my hearing by the right hon. Gentleman.

*MR. SPEAKER: If that is so, the right hon. Gentleman could not have said anything.

*MR. WALLACE: I understand, Sir—

*MR. SPEAKER: Order, order! The Question before the House is, that the Question be now put.

*SIR W. FOSTER: May I suggest—

*MR. SPEAKER: Order, order!

Question put, "That the Question be now put."

The House divided:—Ayes 200; Noes 117.—(Div. List, No. 225.)

MR. HUNTER: On a point of order I wish to ask whether, on the Report stage of a Bill, it is competent to any one to move that "all these words stand part of the Bill?" I have always understood that on the Report stage the only Question to be put is the omission of certain words from the Bill; as all the words of a clause do stand part of the Bill till some Amendment is made to strike them out. Such a Motion could, no doubt, be properly made in Committee where a Motion has to be made that each clause stand part of the Bill, but on the Report the case is different. I ask, is it competent that such an Amendment can be taken?

Mr. W. H. Smith

*MR. SPEAKER: The Standing Order has, in this case, been complied with, the Motion having been made in accordance with the Standing Order. The Motion is one that can be made in order to avoid the consideration of a number of Amendments that might otherwise be moved.

*MR. CAMPBELL - BANNERMAN: May I say, by way of explanation, that the distinction my hon. Friend draws is between the Committee and the Report stages, and he says that while this course is perfectly in order in Committee, on the Report the House does not interfere with the clauses of a Bill except an Amendment is moved to omit.

*MR. SPEAKER: I understand the point raised by the right hon. Gentleman; but there is nothing to show that the Closure Motion is not to apply to a Bill on the Report, and that if repeated Amendments are made to a clause—say as to names—there is nothing to show that it is not competent to an hon. Member to move that the clause, down to a certain part, shall be added to the Bill so as to avoid the putting of Amendments which are on the Paper.

Question proposed, "That the words of the Clause, from the word 'Kincardine,' in page 9, line 7, to the words 'Donald Crawford, Esq.,' inclusive, in line 12, stand part of the Bill."

*MR. H. H. FOWLER (Wolverhampton, E.): I must say that I do not see how such a Motion can be put from the Chair. The Motion that a clause stand part of the Bill is never put to the House on Report; the only Motions submitted are Amendments to the Bill, either as omissions or additions, and until an Amendment is moved there is no Question before the House.

*MR. SPEAKER: It is quite competent for an hon. Member, where a number of Amendments are on the Paper to be moved, to anticipate those Amendments by a Motion that the words down to a certain point be regarded as outside the Amendments, and that they shall stand part of the Bill.

The House divided:—Ayes 205; Noes 120.—(Div. List, No. 226.)

Dr. CLARK: I beg, Sir, to move the adjournment of the Debate, in order that the Scotch Members may be able to consider the position in which they are placed by the action of the Government. This is the most important clause of the Bill, and under it the House is about to appoint a Commission, and the whole future of the Scotch Universities will depend on the men who constitute that Commission. In consequence of the position in which we have now been placed we require still further to consider the matter, and I think we ought to have the opportunity of meeting to determine what ought to be done, so as to ensure that the Commission shall fairly represent the reform element in Scotland, and that when they do meet they will do the work which this House desires to see done. I do not think the right hon. Gentleman the First Lord of the Treasury can say that the Scotch Members have been obstructive in any shape or form. In fact, the right hon. Gentleman stated only last night that they had assisted the Government as far as they could. For my part, I am anxious to see the Bill passed, and I think the quickest way of securing that result would be to adjourn the Debate on this, the most important of all the questions raised by the Bill, except, perhaps, the financial question. I beg to move, therefore, that this Debate be adjourned.

Motion made, and Question proposed, "That further proceedings on the Consideration of the Bill, as amended, be now adjourned."—(Dr. Clark.)

*MR. WALLACE: I second the Motion for Adjournment, on the ground that not only ought the Scotch Members to have an opportunity for reflection, but that Her Majesty's Government ought also to have a corresponding opportunity. I think that if there had been the necessary amount of reflection on that side of the House,

the right hon. Gentleman the First Lord of the Treasury would not have specially selected the Amendments I put down to the Bill for the Motion of closure; because the Amendments standing in my name have been put down for several days, and if I had been a person generally desirous of obstructing, the right hon. Gentleman must have known that on this occasion there was no intention on my part to obstruct the Bill. I can assure him I have been by no means animated by Aberdonian zeal in the matter: my ideas have been of a totally different character; and I feel that it is somewhat hard upon me for the right hon. Gentleman to prevent my making what I consider to be in the nature of a personal explanation; because it is an unpleasant and an invidious thing to put down Amendments proposing the omission of certain names. I feel this as much as any hon. Member can do, and therefore I was anxious to show that by sticking to the Amendments and explaining them I was actuated by motives of which I had no occasion to be ashamed, and which I believed would be approved by right hon. and hon. Gentlemen opposite. My object was simply to lighten the Commission, which is confessedly an unwieldy one, by abstracting names from it so that it might be more wieldy, without at the same time giving offence to anyone whose name might be withdrawn. Therefore I cannot understand what can possess the right hon. Gentleman and his followers so as to induce them to interfere at this particular juncture. Having so deep an interest in the matter I cannot resist the impression that they are under the dominion of excited feelings, and that it would be better for themselves and for the House and for Scotland if they were to take a period of repose, when they might consider the question. Consequently I think the Motion should be agreed to by the right hon. Gentleman and his followers, and that they should return on the next occasion when they put the Bill before the House.

mind much better adapted to ensure the success of the measure, which is what both they and we desire.

SIR W. HARCOURT (Derby): I am very sorry that this conflict has arisen on the consideration of a Scotch Bill, the proceedings on which have hitherto been conducted with perfect harmony. There is, Mr. Speaker, one matter I have to submit to your consideration, and on which I wish to ask your opinion. The Motion of the right hon. Gentleman took the House very much by surprise, and it was understood that the Motion as put from the Chair was not exactly the Motion as made by the right hon. Gentleman. That, however, is not the point I am about to submit. The point I desire to put is this: that the Motion just carried by the House was irregular, as being *ultra vires*, and not in accordance with the Standing Order. The Motion put from the Chair and carried by the House was that a certain portion of the clause stand part of the Bill. Now, that is a proper and appropriate Motion in proceedings in Committee, but there is no authority under Standing Order No. 25 to make any such Motion on Report. Perhaps I may be allowed to read to the House what is the Motion, and the only Motion, that can be made for closure in this matter. The Standing Order says:—

“If a Clause be then under consideration,”
after the Closure has been carried—

“A Motion may be made, the assent of the Chair, as aforesaid, not having been withheld, that the Question, ‘That certain words of the Clause, defined in the Motion, stand part of the Clause, or that the Clause stand part of, or be added to, the Bill, be now put.’”

That, however, was not the Motion which was made or on which the House divided. This portion of the Standing Order only refers to proceedings in Committee, as is evident from the preceding words. The House divided on the Motion that certain words of the clause, defined in the Motion, stand part of the Bill. The Standing Order does not authorize such a Motion on the Report, and therefore the Motion was ineffective, and ought not to have been put, as against the Standing Orders

Mr. Wallace

of the House. No such Motion can be made on the Report as that certain words do or do not stand part of the Bill. If the Standing Order had meant to apply such a Motion as this to the Report, it would have said so; but the Standing Order only authorizes what is, after all, the exceptional and perhaps violent proceedings of the Closure, and, therefore, being legislation of a penal character against discussion in the House, it ought to be construed strictly and not loosely. We ought certainly, in using this extraordinary power of Closure, to follow the precise wording of the Standing Order of the House; and I submit that the wording of the Standing Order has not in this case been followed. As the Motion is not in the words of the Standing Order, I contend that that is a flaw in the Motion which makes it bad. That, I think, is an argument against the Motion. We cannot have loose interpretations of Standing Orders of this kind, and as it is quite clear that the Standing Order is applicable only to proceedings in Committee and not on the Report, I have thought it well to bring the point under the consideration of the House, because I hope that my doing so may afford the means of finding our way out of what I think was rather a hasty proceeding on the part of the Government. Had they shown a little more patience, although the business might at the moment have taken rather more time, we should upon the whole have got on more rapidly. I hope the right hon. Gentleman opposite will take advantage of the fact that the Motion was irregular, and allow the House the opportunity of repairing it so as to meet the views of hon. Members from Scotland.

*MR. SPEAKER: The right hon Gentleman has, in his remarks, whether he desired to do so directly or not, raised a point of order, and has said that the proceedings on the part of the House have been irregular, and that some reparation is necessary. There has been no irregularity whatever. The point of order was raised at the proper time before the Motion was put, and I ruled upon it, as I considered it my duty to do, that it was a perfectly valid and regular Motion. The first point made by the right hon. Gentleman is that the right

hon. Gentleman the First Lord of the Treasury did not comply with the Standing Order by moving that certain words mentioned stand part of the Bill. The right hon. Gentleman did make that Motion, and mentioned the words down to "Donald Crawford, Esq.," which he moved should stand part of the Bill, and I put that Motion from the Chair. This point seems to me to be completely covered by the Standing Order. The right hon. Gentleman the Member for Derby next raises the point which, I admit, is one of more difficulty—that the words of the Standing Order which provide for such a Motion as this only refer to proceedings in Committee. The words, "that certain words stand part" were precisely *totidem verbis* the words of the Motion. I do not understand that any distinction can be drawn between "part of the Bill" and "part of the clause," because the House well knows that 20 or 30 times during this sitting I have put from this Chair "that the words stand part of the clause." The phrase "that the words stand part of the clause," is convertible with "stand part of the Bill." Under the circumstances, I cannot think that any irregularity has been committed. I cannot accept as correct the right hon. Gentleman's reading of the Rule, nor is he correct in saying that this was a *casus omissus* in the Debate on the Closure Rules. I rather think that the point as to whether the Rule applied to Committee or Report was raised, and was then accepted as applying to both.

*MR. W. H. SMITH: I am sure, Sir, the House accepts your ruling, as it will accept any ruling of yours, as a perfect statement of the law of Parliament applicable to the point in question. I wish again to say that the Government and the House are indebted to the Scotch Members for the moderation and the care they have bestowed on this Bill, and I should exceedingly regret that the proceedings of the last few minutes should in any way mar the cordial relations which have so far existed. The hon. Member for North Aberdeen gave notice that he would divide against every name on the Commission.

MR. HUNTER: I beg pardon. I informed the right hon. Gentleman that I did not intend to move the rejection of the name of Sir Francis Sandford. That was to be objected to by one of my hon. Friends.

*MR. W. H. SMITH: Yes, because the Motion of a Colleague of his would accomplish the same object. The Government in the concessions they have made have given evidence of their very great desire to meet the wishes of hon. Gentlemen on the other side of the House as well as those on this side. The hon. Member for Aberdeen will do us the justice to admit that. I was surprised, on looking at the Paper this morning, to find that objections were still made to the Commission. If I have been guilty of an offence in moving the Closure, I am sorry for it, but I think the House generally will admit that it was almost time to put an end to discussions which are not agreeable and which we had notice would go on with regard to every name. The Government have stated to the hon. Member and to the House that they will endeavour to meet his views in every way except as to the particular person whom he intimated he intended to force upon them. It is not unfair that the Government should exercise their own discretion and responsibility as to the individual to be accepted for the discharge of duties of this important character. They have given an assurance that they will endeavour to find a gentleman acquainted with Aberdeen University who shall be placed on the Commission, and it is customary even with opponents to accept an assurance of that kind.

MR. HUNTER: Will you state any objection to Mr. Bain?

*MR. W. H. SMITH: The Government have endeavoured as far as possible to refrain from discussing the names of individuals. I think it is most invidious, and I do not

intend to do so now. We asked the hon. Gentleman (Mr. Hunter) to serve himself, and the hon. and learned Gentleman opposite (Mr. Asher), but they both declined, and it is notorious that we have spared no pains to procure the services on the Commission of a gentleman acquainted with Aberdeen University. I hope that after the assurance of the Government we may still hope, in spite of the incident which has just occurred, to proceed with the Bill in the same spirit of conciliation which has existed hitherto.

MR. HUNTER: We are well accustomed to be out-voted, but a new feature has been introduced this afternoon. We are to be closed it seems. The right hon. Gentleman has chosen his time with much dexterity. He has selected as the moment to apply the closure the time when the most obnoxious name on the whole list came up for discussion. The great majority of the Scotch Members are entirely opposed to Sir Francis Sandford's name, which is synonymous in Scotland for everything that is detestable, obscurantist, reactionary, anti-Liberal, and anti-Scotch. That was the moment the right hon. Gentleman selected for shutting our mouths and preventing a vote being taken on that particular name. I hope my hon. Friend will press his Motion to a Division, and give us the only opportunity we shall have, though an indirect one, of expressing our sense of the name of Sir F. Sandford.

*SIR WALTER FOSTER: I must say, that it seems to me, that the strongest argument in favour of Adjournment came from the right hon. Gentleman the First Lord of the Treasury himself. He says he has been anxious to find some one who will be acceptable to the Scotch Members as representing Aberdeen University, and as yet he has been unsuccessful in his search. Under those circumstances it is right, I think, that they should take a little time to try and find some one. I feel compelled to vote for the Adjournment, because by the Amendment or

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Motion moved by the First Lord of the Treasury I am myself precluded from moving the addition to the Commission of a gentleman representing the medical profession. I wanted to obtain a fair representation of the profession to which I belong, and the education of which forms, if not the greatest, certainly a large part of Scotch University work. The Faculty of Medicine is the most flourishing and most important Faculty of all in some Universities, and I asked to put forward the claim of some gentleman who might be supposed to represent the whole profession of Scotland. Under the circumstances, the clause being passed down to the name of "Donald Crawford, Esq.," I presume I am unable to move my Amendment. Under any circumstances, I should like the Government to take an opportunity of considering whether they can accept my proposal.

*MR. SPEAKER: The hon. Member is not precluded from making a Motion to add another name to the Commission.

*SIR WALTER FOSTER: I am glad to hear it.

MR. FINLAY: I do not think I ought to allow the remarks made by the hon. Member for Aberdeen (Mr. Hunter) to pass without protest. My hon. Friend poses as the Representative of the people of Scotland, but he certainly failed to speak as the Representative of the people of Scotland in using the language he did use as regards Sir Francis Sandford. I protest against that language. He mistakes the opinion of his own little circle, on this and many other matters, for the opinion of Scotland. I venture to say that in Scotland generally there is no man who is recognized, in the opinion of those best qualified to guide, as more eminently fitted for a Commission of this kind than Sir Francis Sandford.

*MR. ESSLEMONT: I shall not follow my hon. and learned Friend the Member for Inverness (Mr. Finlay) into his little circle. The people of Scotland are well able to judge as to which is the larger

circle, the hon. and learned Gentleman's or ours. But my purpose in rising is to offer a word of personal explanation. I was telling with my hon. Friend the Member for North Aberdeen up to a certain point. That point was the question of the Adjournment, and I was very sorry my hon. Friend did not press the Adjournment to a Division before. It has been said by the First Lord of the Treasury that concessions have been made to Scotch Members. Let me remind the right hon. Gentleman that all the concessions have been made by Scotch Members to the Government. If he will look at the Division List he will find that the majority of Scotch Members have given in to the proposals of the Government, and that the Government have not given in to the Scotch Members. I have been as desirous as anyone that we should not in detail discuss the 15 names, and therefore I hope the Government, after what has been said—I admit, complimentary to us as Scotch Members—will reconsider this matter. They have it in their power, undoubtedly, by reconsideration, to satisfy the whole of the Scotch Members with regard to this Commission. The point raised is a very fair one. We propose a representative of the Aberdeen University, and no objection has been taken to the name. I, therefore, cannot see why the Government do not concede the point.

The House divided:—Ayes 127; Noes 222.—(Div. List, No. 227.)

MR. J. P. B. ROBERTSON: I beg to move to insert after the word "esquire," "Sir William Thomson."

Amendment proposed, in page 9, line 12, after the word "esquire," to insert the words "Sir William Thomson."—(Mr. J. P. B. Robertson.)

Question proposed, "That those words be there inserted."

MR. HUNTER: I hope the Government will now, considering the hour (5.25) at which we have arrived, postpone the further consideration of this question. I see no reason why, if they had been a little more liberal in their views, we should not have settled this question long ago. There is no desire on my part to occupy a moment longer than is

necessary; and the fault of the delay lies with the Government. I think it would be well that we should now adjourn, and endeavour to come to some arrangement before the subject is again taken up.

DR. CLARK: It is all the more necessary we should do that because, while I see no objection to the gentleman now proposed, the constitution of this Commission is very peculiar, and political feeling is reflected in it. It so happens that Sir William Thomson is a very keen partisan; he is one of the keenest partisans of a small dying section in Scotland. I have the highest opinion of the gentleman from a scientific standpoint, and think he may fairly represent what is wanted in the future in Scottish Universities, yet I find he used to profess broad Liberal ideas, but now supports the most Conservative and illiberal proposals. That is why I am chary of electing him on this Commission. I find that some hon. Gentlemen around me who used to be very broad and liberal in their views now vote against what they used to vote for. Sir William Thomson is one of the ablest Members in the University which he adorns, but it may be that since he has come under the blighting influence of the present state of things, his views on University Reform may have changed. It is a very curious mental disease which, as a student of psychology, I have been studying. It is a form of monomania, and I am not sure that the gentleman now proposed is not afflicted with it. I refuse to put a man on the Commission unless he is sound in every particular. I do not at the present moment feel qualified to vote for this gentleman, although I have very great respect—

It being half-past Five of the clock, the Debate stood adjourned.

Motion made, and Question proposed, "That the consideration of the Bill be resumed to-morrow."

SIR W. HARCOURT: I should like to know what is going to be done with

reference to the business to-morrow. It was understood the Tithe Bill was to be taken to-morrow as the first Order. I do not know whether that arrangement is to be disturbed. I certainly think that if this Bill is to be taken to-morrow, it ought to be taken after the Tithe Bill. Perhaps it would be more convenient that this Bill should be postponed until Friday, and that in the meantime an endeavour should be made to arrive at an amicable arrangement as to the constitution of the Commission. Possibly the difficulty might be removed by re-committing the Bill so as to reconstitute the Commission, an agreement having been come to as to the persons who shall compose the Commission.

MR. A. J. BALFOUR: The Government will be very glad to consider any suggestion which hon. Gentlemen may make. The Tithe Bill stands first for to-morrow, and this Bill will be put down second in the Order Book.

Question put, and agreed to.

REVENUE [ALLOWANCES AND STAMP DUTY].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorize the payment, out of moneys to be provided by Parliament, of additional allowances and remuneration to clerks to Commissioners of Income Tax and Inhabited House Duties, in pursuance of any Act of the present Session to amend the Laws relating to the Customs and Inland Revenue, and for other purposes connected with the Public Revenue and Expenditure.

Motion made, and Question proposed,

"That it is expedient to impose, by way of composition, a Stamp Duty, at the rate of five pounds per centum, upon the premiums on policies of insurance against accident under the provisions of the said Act."—(*Mr. Jackson.*)

And, it being after half-past Five of the clock, and objection being taken to further proceeding, the Chairman left the Chair to make his Report to the House.

First Resolution to be reported to-morrow.

Committee also report Progress; to sit again to-morrow.

Sir W. Harcourt

MOTION.

COMPANIES CLAUSES CONSOLIDATION ACT (1888) AMENDMENT BILL.

On Motion of Mr. Arthur Acland, Bill to amend "The Companies Clauses Consolidation Act, 1888," ordered to be brought in by Mr. Arthur Acland, Mr. Rowntree, and Mr. Thomas Ellis.

Bill presented, and read first time. [Bill 337.]

PUBLIC ACCOUNTS.

Fourth Report, with Minutes of Evidence and Appendix, brought up and read.

Report to lie upon the Table, and to be printed. [No. 259.]

PARTNERSHIP BILL. (No. 151.)

Reported from the Select Committee. Minutes of Proceedings to be printed. [No. 260.]

Report to lie upon the Table, and to be printed. [No. 260.]

Bill re-committed to a Committee of the whole House for Friday, and to be printed. [Bill 336.]

CITY OF LONDON POLICE BILL [LORDS].

Reported from the Select Committee, with Minutes of Evidence; Report to lie upon the Table, and to be printed.

QUESTION.

On the Motion for Adjournment,

MR. J. E. ELLIS (Nottingham, Rushcliffe): Is the Secretary to the Local Government Board in a position to give us an assurance that the Infectious Disease Notification Bill will come on at a time when it is possible to discuss it adequately?

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (*Mr. Long, Wiltshire, Devizes*): In the absence of the President of the Local Government Board I cannot say when the Bill will be taken; but I know my right hon. Friend is most desirous of pressing the Bill.

House adjourned at twenty minutes to Six o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 7.]

SIXTH VOLUME OF SESSION 1889.

[JULY 26.]

HOUSE OF LORDS,

Thursday, 18th July, 1889.

THE EARL OF MORLEY sat Speaker.

THE EDUCATION CODE.

QUESTIONS—OBSERVATIONS.

EARL GRANVILLE: I desire to ask the Lord President of the Council whether the Education Code has been abandoned or only suspended?

VISCOUNT CRANBROOK: I think your Lordships will see that this is a case in which suspension was impossible. The Code could only be continued or abandoned. It has been withdrawn; but the subject will, of course, receive the consideration of Her Majesty's Government.

EARL GRANVILLE: I can only express my great regret at the information, more particularly after the complete manner in which the Lord President on various occasions in your Lordships' House defended the provisions of the Code.

TRAMWAYS PROVISIONAL ORDER (No. 2) BILL.

*LORD BALFOUR, in moving the suspension of the Standing Order in order to enable this Bill to be read a second time, said that the Bill was introduced into the House of Commons on the 17th May, and was read a second time shortly afterwards. The reference to the Commons Committee had not taken place for more than a month. One Order was opposed, but after negotiations that opposition had been withdrawn, and the whole of the Orders were now

going through Parliament as unopposed Orders.

Moved,

"That the Order made on the 5th day of March last, 'that no Bill brought from the House of Commons confirming any Provisional Order or Provisional Certificate shall be read a second time after Friday, the 23th day of June next,' be dispensed with, and that the Bill be read 2^a ;"

Agreed to.

Bill read 2^a accordingly, and committed to a Committee of the Whole House to-morrow.

THE STANDING ORDERS AND PROVISIONAL ORDER BILLS.

A Special Report from the Standing Committee for Bills relating to General Purposes, referring to a number of Local Government Provisional Order Bills, was ordered to be considered.

*LORD BALFOUR, in moving to discharge the Order of Reference to the Standing Committee, explained that that Committee reported that they had not proceeded to consider the Bills in question because they found themselves in such a position that that course would be, if not useless, exceedingly difficult. Provisional Order Bills dealt with matters which were to a large extent matters of agreement between private individuals and Government Departments. If any Committee of the House were to take them into consideration with a view to upsetting the arrangements that had been arrived at, that would almost necessarily involve the attendance of the parties by counsel or otherwise. The Standing Committees of the House were not appointed for that purpose, and it was obviously unsuitable to refer Bills of this kind to those Committees.

Moved,

"That the Order of Friday last committing the said Bills to the Standing Committee for General Bills be discharged."—(*The Lord Balfour.*)

THE EARL OF KIMBERLEY: In the absence of my noble Friend Earl Carnarvon, the Chairman of the Standing Committee for General Bills, I may be allowed to state that the view which the Committee took was substantially that which has been stated by the noble Lord, that these Bills, as a rule, are not Bills which should be considered by a Standing Committee. At the same time, it was felt that there might be some Bills of this class which involved questions of public policy, and which it might be desirable to refer, and, therefore, we thought it should be left open to the House to make such a reference in special cases, although, as a general rule, these Provisional Order Bills ought to go to a Committee of the Whole House.

*THE EARL OF MILLTOWN: I do not wish to oppose the Motion, but I wish again to point out that one of the special reasons that was given for the appointment of these Standing Committees was that they should consider these Provisional Order Bills. It was stated by the noble Marquess the Prime Minister that the Bills were passed through the House without any examination, and when I called attention to the matter when these Bills were before the House on Friday, he again stated that all Provisional Order Bills ought to go before the Standing Committees. I understand from what has fallen from the noble Baron that that is not for the future to be the practice, and it seems to me that, under these circumstances, one of the main reasons for the establishment of the Standing Committees has fallen to the ground.

*LORD BALFOUR: With the indulgence of the House, I would like to say that the noble Earl is not quite accurate in his description of the course of procedure in regard to these Bills. I demur to the statement that the Standing Committees were formed for the purpose of assisting these Bills, but I will not pursue that subject further just now. I would point out to the House that it is not correct to say that these Bills pass through Parliament unscrutinized. In the other House of Parliament they are

referred to a specially appointed Committee on unopposed Provisional Orders, and in this House they undergo careful scrutiny in the department of the noble Lord the Chairman of Committees.

*THE EARL OF MILLTOWN: I am perfectly aware that the Bills undergo scrutiny from the officers of the House, and I have no doubt that that is a very careful scrutiny. What I said was that they were not controlled by Parliament, and that seems to be the fact.

THE EARL OF MORLEY: Perhaps I may be allowed to make an explanation. These Bills, as the noble Lord has said, are referred to the officers of my Department, who go through them very carefully, and have caused, and do cause, many amendments to be made in the clauses. I think it is valuable that the Bills should go to some tribunal in the nature of the Standing Committees of this House, but I fear that those Committees are too large to be able to deal with these Bills, which are, after all, very much in the nature of private Bills. In the other House, I have been told (but I am not absolutely certain of this) that these Bills are practically dealt with exactly in the same way as private Bills, and are referred to the Chairman of Ways and Means and to his Unopposed Bills Committee. Though they would not come before me sitting in Committee, but are, I think, as public Bills, rightly committed to the whole House, still it is not accurate to say that they go through no scrutiny at all on the part of the House or its officers. I think that, although it may be useful to refer certain of these Bills to a Standing Committee, those Committees are so constituted that, as a general rule, it would be better not to refer to them Bills of this complicated character. I would also venture to suggest that in cases where Bills are referred to the Standing Committees ample notice should be given of the intention of noble Lords to move Amendments.

LORD HERSCHELL: I would suggest that it is worthy of consideration whether the same practice should not be followed here as in the other House—that is to say, that Bills of this character should go before a Committee for Unopposed Bills, subject to this—that if the Chairman of the Committee on Unopposed Bills wishes to call attention

to any matter of principle involved in a particular Bill he should refer the Bill to the Standing Committees.

THE EARL OF KIMBERLEY: I quite agree that it would be useful to have, as an aid to the Standing Committees, a small Committee similar to that which is known in the other House as the Unopposed Bill Committee.

Motion agreed to, and the Bills in question committed to a Committee of the Whole House.

PROVISIONAL ORDER BILLS.

Moved, to resolve that Bills for confirming Provisional Orders should pursue the course hitherto adopted, unless their reference to the Standing Committee be ordered for some special reasons; after notice given (The Lord Balfour); agreed to.

MARRIAGES (BASUTOLAND, &c.) BILL (No. 155.)

SECOND READING.

Order of the Day for the Second Reading read.

***LORD KNUTSFORD,** in moving the Second Reading of this Bill, explained that it was a Bill to confirm the validity of certain marriages contracted in Basutoland and Bechuanaland before they became British territory.

Bill read 2^a (according to order), and committed to a Committee of the Whole House to-morrow.

WINDWARD ISLANDS APPEAL COURT BILL. (No. 156).

SECOND READING.

Order of the Day for the Second Reading read.

***LORD KNUTSFORD:** My Lords, I may very briefly explain the object of this Bill. The Act which established the Court of Appeal for the Windward Islands provided that a quorum of that Court should consist of three of the Chief Justices, exclusive of the Judge whose decision was appealed from. It is now thought advisable to amalgamate the offices of two of the Chief Justices, and the quorum indicated by the Act could not therefore be formed, and this Bill is to enable Her Majesty, by Order in Council, to reconstitute the Court of Appeal.

Bill read 2^a (according to order), and committed to a Committee of the Whole House to-morrow.

HERRING FISHERY (SCOTLAND) BILL (No. 149.)

THIRD READING.

Order of the Day for the Third Reading read.

Moved, "That the Bill be now read 3^a."

***THE EARL OF WEMYSS:** Before your Lordships read this Bill a third time, I should like, with your Lordships' permission, to call attention to the fifth clause. Your Lordships have heard a good deal of Sunday closing on land. This is practically a Sunday Closing Bill as regards the waters on the West Coast of Scotland. Now, legislation of this kind is in itself objectionable, and certain to lead to evasion of the law. My noble Friend the Marquess of Lothian the other day gave reasons in support of this clause, but I think they were wholly insufficient. The first reason which my noble Friend gave was that there was a similar law in the time of George III. In the few remarks I have to make, I wish to carefully guard myself against the supposition that I yield to any Member of your Lordships' House, or to any member of the Presbyterian body in Scotland, in respect for the Sabbath, and in the desire that it should be decently observed. So much so that I have never yet voted for the opening of Museums on Sundays simply for fear that it would be the thin end of the wedge, and that in course of time the working man would lose his day of rest. But, my Lords, that is no reason why we should have legislation of this kind, which would tell so cruelly upon the fishing population. Fishermen lead a very hard life, and gain a very hard and uncertain living. Their calling is doubly precarious. It is precarious as regards the weather. You may have Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, days on which, owing to boisterous weather, it is impossible for them to set or shoot their nets. And then there is the uncertainty of the run of the fish. Again, you may have no fish on Monday, Tuesday, Wednesday, Thursday, or Friday, and on Saturday the whole sea may be teeming and

make provision for the Sessions Court in Scotland, and I think the title is quite sufficient to show your Lordships the general nature of the Bill. Its object is to regulate the number and duties of the clerks in the Court of Session and Bill Chamber.

Bill read 2^a (according to order), and committed to the Standing Committee for Bills relating to Law, &c.

TRUST FUNDS INVESTMENT BILL.

(No. 153.)

SECOND READING.

Order of the Day for the Second Reading read.

LORD HERSCHELL: Your Lordships may remember that last year a Bill to diminish the liability of trustees was introduced, and a clause was inserted in that Bill when it was before your Lordships' House enlarging the power of trustees with regard to the investment of trust funds. The matter came before the House of Commons somewhat late in the Session, and in view of some difference of opinion on the subject which might have imperilled the passing of the Bill, that clause was struck out of the Bill. The Bill which is now before your Lordships is an enactment substantially of the clause which passed your Lordships' House last year. There are one or two slight alterations to which I might call your Lordships' attention. The Bill of last year authorized the investment, amongst other things, in the preference shares of railways which for the previous 10 years had paid dividends on their ordinary stock. As the Bill now stands they must have paid a dividend of not less than 3 per cent on their stock. I think that is the only alteration of importance in the clause of last year, with one exception. In the clause which passed your Lordships' House last year a provision was inserted placing certain Colonial stocks in the same position as the other securities authorized by the clause. An endeavour was made to provide an automatic test which should distinguish between those Colonial stocks which should not be regarded as trustee investments, and those (and undoubtedly there are some) Colonial stocks which are investments quite as sound as any to be found in this kingdom. When the matter came before the Committee of the House of Commons

to whom this Bill was referred, there was some difference of opinion upon the subject of Colonial trust investments, and a Resolution was passed by that Committee that it was inexpedient to enter, with reference to that Bill, into the question of having any investments in Colonial stock. Consequently, no such provision is to be found in the Bill before your Lordships, and I feel very strongly that, whatever one's own doubts upon the subject may be, it would be very inexpedient to attempt to introduce such a provision into the Bill which is now before your Lordships' House. I think it is to be regretted that Colonial stocks are altogether to be excluded from this Bill, not merely because some of those stocks are perfectly safe and sound investments for trust funds, but because there is a feeling on the part of the Colonies that they ought not to be excluded from investments of this nature; and if you add to the list of those trust investments Indian stocks and other securities mentioned in this Bill, it is not right that all Colonial stocks should be treated as though they were not proper funds in which trust moneys should be invested. I understand that that matter has been pressed upon Her Majesty's Government by those who represent the Colonies in this country, and that the matter is under consideration, and that it will be the subject of inquiry, and I hope that the result of that inquiry may be to secure some understanding as to the conditions upon which, or the legislation subject to which, Colonial stocks might be put into the list of trust investments. I hope there will be no difficulty in arriving at such a result, and, seeing that the matter is thus under consideration, I think it would be inexpedient to delay this measure at all, or to run any risk with regard to it by pressing the matter at the present stage. I shall await with interest the result of the inquiry which I understand is now taking place upon the subject, and I may probably upon some future occasion trouble your Lordships further in the matter.

*LORD KNUTSFORD: I have to express concurrence in the greater part of what the noble Lord has said. As he knows, I am personally desirous that trustees should have power to invest in these Colonial stocks, upon sufficient security being given as to their stability,

The Marquess of Lothian

but I think it would be unfortunate if any step were now taken which might delay the passing of this useful measure. My noble Friend is perfectly correct in stating that this matter has been again pressed upon the attention of Her Majesty's Government, but after the Resolution which was passed by the Grand Committee of the House of Commons upon this very clause intimating that they thought full inquiry ought to be made before the clause was passed, or before it was brought up again for consideration, Her Majesty's Government have decided that it will be the best course to have that full inquiry which the Committee of the House of Commons desired made by a Departmental Committee. That Departmental Committee will be soon appointed, and I hope that the result may prove satisfactory, and that there may be some means found of enabling trustees to invest in these securities.

Bill read 2^a (according to order).

LORD HERSCHELL: Under ordinary circumstances, I should move to refer this Bill to the Standing Committee for Bills relating to Law, &c., but inasmuch as, with the trifling exception to which I have alluded, it is substantially identical with a clause which has already passed your Lordships' House, I think it is unnecessary to take that course, and under those circumstances I will move to commit the Bill to a Committee of the Whole House.

Bill committed to a Committee of the Whole House to-morrow.

NATIONAL PORTRAIT GALLERY

BILL (No. 144).

SECOND READING.

Order of the Day for the Second Reading read.

LORD HENNIKER: As the result of representations with regard to the unsatisfactory accommodation given to our national portraits at Bethnal Green, the Office of Works submitted to the Treasury on the 30th April last a proposal to build a new Museum either on a site to the north-east of the National Gallery, or on a site to be acquired at South Kensington from the Exhibition Commissioners. Immediately after this proposal had been made an offer was

made by a gentleman to build a National Portrait Gallery at his own expense, if the Government would procure a site within one mile and a half of St. James's. The site provided by the Bill which I now bring before your Lordships is on the north and east of the National Gallery. It has been approved by the donor, and it has been approved by the trustees of the National Portrait Gallery, and the trustees of the National Gallery have concurred in agreeing to the site being taken, on the understanding that a space should be taken from the St. George's Barracks at some future time for any extension that may be necessary. The greater portion of the land given as a site is vested in the Commissioners of Works, under the National Gallery Enlargement Acts of 1866 and 1867, which were passed for the purpose of extending the National Gallery. But further statutory authority is required to appropriate this land for the present purposes, and therefore this Bill is brought in. The Bill provides for the re-transfer to the Commissioners of Works of a piece of land on the west of the site, of which I have spoken, which was conveyed to the Crown in 1885, or rather to the Commissioners of Woods and Forests on the part of the Crown, in exchange for a small piece of land taken from the Barrack yard of St. George's, which has been used for the late extension of the National Gallery. The proposed site, I may tell your Lordships, has been pronounced by the eminent architect who has prepared the sketch plans for the donor, Mr. Euan Christian, as quite sufficient for any National Portrait Gallery, but Mr. Christian thinks that it would be a very great advantage that a plot of ground on the north of Hemmings Row which is now vacant should be kept an open space. Not only does he think that it would secure a better light for the rooms, but he also thinks that if you had that open space it would secure better protection against fire. This plot of ground belongs to the London County Council. The Office of Works are in correspondence with the Council, and in correspondence with the Treasury, with a view to keeping this land as an open space. I think I need say nothing more in commending this Bill to your Lordships.

VISCOUNT HARDINGE: My Lords, I think it would be difficult to say too

much in appreciation of the munificence of the gentleman whoever he be who has come forward and offered to build a National Portrait Gallery at his own expense, and thereby has extricated the trustees of the National Portrait Gallery from a somewhat difficult if not a hopeless position. My noble Friend says that the trustees have approved of the site, but on the distinct understanding that, whenever at some future day the trustees require more accommodation for their pictures, both the National Gallery trustees and the National Portrait Gallery trustees should be able to appropriate part of the barrack yard for any extensions that may be required, and that if necessary the barracks should be given up. I hope that under no circumstances it will be necessary to take such a course. I believe that the parade ground if built upon will be amply sufficient for the extension of both Galleries, and the barracks will always be a useful place in which to put a company or two of Guards in case of any serious disturbance. I wish to draw your Lordships' attention to another point which my noble Friend has lightly touched upon, and that is the question of this vacant space north of Hemmings Row. I do not know whether people generally are aware of the great importance of this ground north of Hemmings Row being kept as an open space. It is obvious that if the County Council sell this land (for which they hope to get £7,000) at auction, as it appears they intend to do, there will be no security whatever against the erection of enormously high buildings, which will mar the effect of the present and any future National Gallery, and may be such unsightly buildings as your Lordships may see from Rotten Row by Albert Gate. I understand that it is the intention of the London County Council to recoup themselves by this £7,000 for the expenses of carrying out the Charing Cross improvement. I see that my noble Friend, the Chairman of the London County Council (Lord Rosebery) is in his place, and perhaps he will state, from the point of view of the London County Council, how the matter now stands. I would like to read to your Lordships the architect's opinion as to the importance of this open space being preserved. Mr. Euan Christian says:—

Viscount Hardinge

"One point, in my judgment, of primary importance, and indeed of real necessity, if the gallery is to be built on this site, is the maintenance of the open space northwards which its occupation by buildings would effectually destroy. The security of this open space is vital to the scheme."

That being so, it is quite possible that this anonymous donor might cry off and say, "If you are going to have high buildings there, I will not build the Gallery." Under these circumstances, it is very desirable that without delay some sort of arrangement should be come to between the County Council and Her Majesty's Government. I understand that what the County Council say is that they will have nothing to do with this question, which is an Imperial question. I do not know what line the Government have taken or intend to take, but whether it is a Municipal or whether it is an Imperial question, it is highly necessary that something should be done. If the London County Council, as representing the ratepayers, choose to say, "We will not give a sou towards the buying of this ground," it will then be for the Government to consider, and it will be a very serious question, whether, after all, they should hesitate to spend this dreadful sum of £7,000 in buying this open space. Considering they have not given a sou towards this undertaking, considering that at no expense they will have a National Portrait Gallery built, it would be monstrous, I think, if either the Government or the London County Council allowed these high buildings to be built and the light shut out from the National Portrait Gallery. I do not know whether my noble Friend the Chairman of the London County Council will enlighten us at all upon the position which the London County Council take up. Perhaps it would be possible for the London County Council and the Government to divide the purchase money for this open space between them; but, at any rate, matters cannot remain as they are, because, in face of the strong opinion which I have quoted of the architect, it is quite on the cards that, unless this comparatively small matter is properly dealt with, the anonymous donor might cry off altogether and withdraw his munificent offer.

LORD LAMINGTON: I quite concur in the view of the noble Lord who has just sat down. This generous and

patriotic offer having been made, it seems to me inconceivable that for the small sum of £7,000 this plot of ground which is clearly necessary should not be acquired. Although it is not more than a fourth of an acre, it is a long piece of land, and any buildings erected upon it will block the whole light of the Gallery. I hardly agree with my noble Friend that this is at all a matter for the County Council. It is for the Imperial Government, and I think it will be very little short of a scandal if the Government, having had given them a magnificent building of this kind, should for the sake of a few thousand pounds see the whole undertaking spoiled by the erection of high buildings in immediate proximity to the Gallery.

THE EARL OF ROSEBERY: It may perhaps be convenient, as the London County Council has been referred to by the noble Lords who have spoken, that I should state exactly the way in which this matter stands. The piece of land in question is valued at, I think, about £7,000, and it is part of the assets of the London County Council, for which they are responsible to the ratepayers of London. The London County Council, whatever their deficiencies may be, are certainly not averse to the acquisition or the maintenance of open spaces wherever it can be proved that that is to the interest of London and of the ratepayers. But they are not entitled to look to any interests beyond those, and, indeed, in my opinion, they would be culpable if they did. It is perfectly clear, as I believe, that it is necessary for this building, both outwardly and inwardly, that this piece of land should not be built upon; but that is not a matter which concerns the London County Council. It is an Imperial matter. If there is an Imperial building in this country, it is that building in which you propose to keep the portraits of all those, whether in the United Kingdom or in the Colonies, who have rendered service to the Empire. What business it is to the ratepayers of London to maintain or to bring light into a building of that description I, for one, cannot possibly conceive. Some time ago the Council passed a resolution that this land should be dealt with as the other assets are dealt with—namely, it should be put up for sale. Shortly afterwards we received a letter from the right hon.

Gentleman the First Commissioner of Works, asking what our intentions were—a very courteous letter—and intimating, with the habitual politeness of the right hon. Gentleman, that it was possible that we might wish to contribute this open space, in consideration of the national character of the work, without payment. I do not think that that was actually put in black and white, but the insinuation was a delicate one, and one which we were not so blind as not to appreciate. Upon that we took the only course which was open to us. We sent back to the First Commissioner the resolution which had been passed by the Council, and said that, as far as we could, we should be willing to meet the wishes of Her Majesty's Government in not putting up the land to public auction, but dealing with it as a matter of private negotiation. Since then a conversation has taken place with those members of the Council who are most directly interested in the matter, and I have some hope that a favourable result may be arrived at. But I would point out most clearly to the House—and I think the House is, on the whole, with me in this contention—that if that land is built over it will be due to the *laches*, not of the London County Council, but of Her Majesty's Government. And I must further add, not as a member of the London County Council, but as an individual who has filled the position of First Commissioner of Works, and who has always had the building of this gallery very nearly at heart, that I do think that Her Majesty's Government will not be making an undue, an unlicensed, or an extravagant contribution if, to the £100,000 which have been contributed by a private individual, they string up their courage to find these £7,000 to purchase this piece of land.

Bill read 2^a (according to order), and committed to a Committee of the Whole House to-morrow.

TELEGRAPHS (ISLE OF MAN) BILL.

(No. 113).

SECOND READING.

Order of the Day for the Second Reading read.

*LORD BALFOUR: My Lords, in moving the Second Reading of this Bill, I need trouble your Lordships with only a few observations. The Telegraph

Acts are already applied to the Isle of Man with one exception, namely, the Act of 1878, but various difficulties have been found in the working of those Telegraph Acts, because the phraseology of the Acts is not suited to the executive and judicial machinery of the Isle of Man. This Bill is really an interpretation Bill, in that it applies the phraseology of the Telegraph Acts so as to suit that executive and official machinery; and by another clause it applies the Telegraph Act of 1878 to the island. There is really nothing else in the Bill than those provisions, and I beg to move that it be read a second time.

Bill read 2^a (according to Order), and committed to the Standing Committee for General Bills on Tuesday next.

CANADA (ONTARIO BOUNDARY) BILL.
(No. 151.)

House in Committee (according to Order); Bill reported without Amendment; and to be read 3^a to-morrow.

BILLS OF SALE BILL. (No. 150.)

Read 3^a (according to Order), and passed, and sent to the Commons.

PUBLIC TRUSTEE BILL. (No. 127.)

Read 3^a (according to Order); Amendments made; Bill passed, and sent to the Commons.

TRUST COMPANIES BILL. (No. 10.)

THIRD READING.

Order of the Day for the Third Reading read.

LORD HOBHOUSE: My Lords, the noble and learned Lord the Lord Chancellor, who happens to be absent, has prepared a number of Amendments to this Bill. I have gone carefully through the Bill with reference to these Amendments, and I think it would save your Lordships' and the public time if you would allow me to put them *en bloc*.

Various Amendments agreed to.

LORD HOBHOUSE: Then, my Lords, upon Clause 26 I ask your Lordships to insert the words—

"Upon the application of persons interested in the property held by a trust company as trustee, executor, administrator, or any other fiduciary capacity as mentioned in the Act."

My Lords, the reason for the Amend-

Lord Balfour

ment is this: as Clause 26 stood before the House when in Committee, it was stated that it was intended to give to the Board of Trade power to appoint inspectors on the application of any person interested in the trust funds held by the company, and we look upon that as a very valuable safeguard in the administration of these companies. When moving his Amendment, the noble and learned Lord Herschell desired to substitute the four sections of the Companies' Act, 1862, applicable to this matter for the reference to it in the clause of the Bill, but I think he never intended to deprive the Board of Trade of the power of acting upon the application of a person interested in the trust fund; but there seems to have been some misapprehension as to the verbal addition which was then made to the written Amendment. The result was that there has been an entire omission of power to the Board of Trade to act upon the application of persons interested. I desire now to restore that power, and I think everybody will agree that it is requisite.

*LORD BALFOUR: There is no doubt, my Lords, that an omission has by some misapprehension been made, and I entirely accept the Amendment.

Amendment agreed to.

Bill read 3^a, and passed, and sent to the Commons.

THE PARLIAMENT STREET IMPROVEMENTS.

QUESTION—OBSERVATIONS.

LORD LAMINGTON: My Lords, I rise to put a question to Her Majesty's Government respecting the company who have undertaken the Parliament Street improvements. These improvements, my Lords, are being carried out by a private company. When the Bill passed relating to the company, it was distinctly understood that the whole of Parliament Street was to be taken down in the autumn of 1887. Two years have since elapsed, and in three years the whole thing will be at an end. This way of conducting public works is very unworthy of a great city, and as there appears to be no hope held out of this work ever being done at all, I want to ask Her Majesty's Government what they intend to do in the matter. I think, my Lords, it is not too much to say that

this is a very unworthy way of carrying out public improvements in the Metropolis. Do the Government never intend to make use of the land they have at their disposal, and which belongs to them? I have to ask whether it is intended that anything shall be done to carry out the improvements.

LORD HENNIKER: My Lords, in reply to the question which the noble Lord has put, I must decline on the present occasion to discuss the question whether these improvements ought to be made by a private company. A Bill was passed two years ago for this purpose, and I have stated over and over again that Parliament imposed upon the company the condition that £500,000 should be subscribed for the ordinary stock before they could pull down a house, and that that has been really the cause of the delay. The company is a private company, and the Act, I believe, is a private Act, and therefore I think the question of the noble Lord is hardly one which the representative of the Office of Works can properly be called upon to answer. The only connection of the Office of Works with the company at the present stage is in regard to some of the land with which the company propose to deal which is Government property. Beyond what has passed with respect to this land and the negotiations which have been going on with regard to it between the company and the Office of Works, the Office of Works really know nothing officially. It is not necessary for me to remind your Lordships that, as long as the company keep within their powers, neither the Office of Works nor any one else has any right to interfere with them. In fact, the Office of Works can have no responsibility for the company, nor any official knowledge of its proceedings. However, my Lords, having said so much, as I find some noble Lords take an interest in the matter, I have endeavoured to obtain information, and by the kindness of the promoters of the company, I can give some information to the House. It was given to me by Mr. Edward Easton, a gentleman whom I have known for many years. Mr. Easton writes on July 18th in regard to the position of the company as follows:—

"In answer to your inquiry, I have to say, on behalf of the promoters of the Parliament

Street Improvement Act, that the arrangements for complying with the Act, which stipulates that £500,000 of share capital shall be subscribed before commencing the works, have not yet been completed, but that the matter has now been carried so far that it is expected the necessary certificate of the Board of Trade that the capital has been subscribed will be obtained within a month from this time."

That, my Lords, is the present position of the company, as far as I know.

WESTMINSTER HALL AND CONSTITUTION HILL.

QUESTION—OBSERVATIONS.

*THE EARL OF WEMYSS: My Lords, in rising to ask Her Majesty's Government the question of which I have given Notice, I have to apologize to your Lordships for again obtruding myself upon your notice. I ask your indulgence the more as, in bringing this subject forward, I am acting on behalf of friends of mine in another place who have taken great interest in this question, and who are anxious to move in another place that the objectionable structures in Westminster Hall to which my questions refer shall be removed; but the period of the Session and the business in another place are such that it is impossible for them now to bring the subject forward. I have therefore been asked to do so in your Lordships' House. Now, my Lords, besides this question of the structures themselves, I hold that there is a very grave question involved as to the management of public buildings and the constitution of the Department of Her Majesty's Office of Works. In regard to what has been done in Westminster Hall opinions possibly may differ. I can only say as regards myself that I dislike these structures. I hold that they in themselves are unsightly, and that they destroy the breadth, simplicity, and grandeur of that noble Hall. I have read somewhere that

"He never really loved,
Who loved not at first sight."

I think there is much truth in that. But if one can love at first sight one can hate also. But I had heard nothing of what was going on, and knew nothing about it. There was a hoarding round the structures which had concealed the whole thing from the public, and when I first beheld the staircases I own that, to use a common term, I was "flabbergasted" at what I saw, and there being nobody else near to whom I could

Now, my Lords, I think I have at least shown to your Lordships that there is unquestionably a consensus of opinion against what has been done in Westminster Hall, and I urge that these structures should be removed. But it is not only what has been done, but the way in which it has been done, showing how the office of Works has proceeded in this matter to which my question points to the fact that although there was a model of the outer portion with the buttresses, no model of the staircases inside the Hall was shown. Furthermore, I have been informed by those that are concerned that a design showing the elevation was never shown. Though the ground plan was shown to the Committee there was nothing at all—so far as I can see—professing to represent the structure. Surely the inner part of the Hall—which is more precious than the outside—should have been treated with the same care, and a model should have been provided to invite expressions of opinion, as was done with regard to the outside. Instead of that, the whole thing was shut off by a hoarding, so that what was going on could not be seen. But besides these new objectionable staircases we have to complain of the removal of the iron work on one side of the broad steps at the end of the Hall and the substitution of a solid wall and terrace, which looks strong enough to form a platform for carrying a 45-ton gun. It has entirely destroyed the symmetry of the hall. Then, further, there is this point: on the right hand side of the Hall, where these changes have been made, the stonework, from some cause or other, had decayed—I have heard it attributed to the mephitic air which came out of the Divorce Court. This has been refaced. I wonder why the impaired surface could not have been chiselled off, leaving it practically new stone. But no; for some reason or other it has been refaced with stone, but with small instead of large stones, as on the other side. Now, I ask if the Hall required refacing why should not the refacing or renewing have been carried out so as to make one side identical with the other? But such are the fads and caprices of architects in these days that one side of the Hall has been left in its original state with a wall composed of large blocks of stone,

and on the other they have put in new stones, wholly differing in size and in colour from the others. A word now as to the outside. A model of the proposed buttresses, &c. &c., was put up, actual size, and we were thus enabled to judge of the general effect of the proposed alterations; but we find that a buttress has been stuck against one side of one of the Towers at the end of the Hall, which entirely destroys that portion of Sir C. Barry's work, so little respect do architects pay to each others' buildings. Really this is one of the most monstrous things that was ever done in architecture, and I cannot help thinking that if the model had shown this, it would have been seen at once that the buttress ought to be removed. So much for Westminster Hall. But, my Lords, my question also refers to a totally different subject, although the principle upon which I am bringing it before your Lordships is very much the same. My question also refers to the subject of the arch on Constitution Hill. I venture to ask whether any steps are being taken to remove from London the reproach of having a triumphal arch standing as that arch does. I defy any architect to point out any arch, railway, or otherwise which has one leg shorter than its fellow, as this arch has; for being built upon a slope, one side is 12, or 18 inches higher than the other. I hope then, as Constitution Hill is about to be opened, and roadways are to be made on each side of the arch, that it will be underpinned and levelled. These are points to which it is necessary to call attention, because I am anxious not only to call attention to the things which are done, but to the system under which they are done. I should have thought that on a question such as this, affecting a great historic hall in which your Lordships have certainly not less interest than those sitting in another place, there would have been a Joint Committee of both Houses appointed who should have had the plans before them. Now, my Lords, if any of us look back, as I am afraid I can for a good many years, what do we find with regard to the appointments which have been made to the office which has the management of public works? Is it the case that the man appointed to fill the high post of First Commissioner of Works is usually selected from the fact

of his having given his mind to these subjects from his knowledge of land-
scape gardening, or of architecture? Nothing of the kind; the object is always one of political convenience, and as regards the influence of the bill on the action or power in the Cabinet, and hence he does not exercise the influence which he might. Looking back for well on the 10 years I do not know of any single bill of that class when any noble Lord in private life or the way of his office or otherwise would have ventured to say that he ought to be excepted from the bill on the ground of his being a peer. I do not know of any one every evening before he has the bill of 10 years may imagine that that was the case. Now, my Lords, there is something extremely wrong in the system which has been established, and which is not possible for any Lord Commissioner of the Treasury to be the guardian of the public interest in the matter. I do not know of any one who has given his whole life and attention to such matters as that with our public buildings in the way in which Westminster Hall has been built with something more or less. This is the case of the late Commissioner Mr. Ayton. When he came to office he thought that he had no business to say anything, and that he had to leave the authorities to anything of the kind. And yet he gave me a volume of his own knowledge, and I have of it the and more in Kensington Gardens beside the main wall and the beautiful the view from the garden. Now all the shows the necessity of some change in the construction of the Office of Works. I have said the subject of being a member of a House of Commons which recommended that there should be a Committee of peers attached to the Office of Works. Something of the kind I think, my Lords, is extremely wanted. I ought to be a Standing Committee of peers to look after the work of the Office of Works. I have said that many matters might be proposed which would not be taken up by the House of Commons, and which would be of great importance in the House of Commons. I have said that many matters might be proposed which would not be taken up by the House of Commons, and which would be of great importance in the House of Commons.

THE EARL OF TEMPLE

the noble Lord who represents in this House the Office of Works: "Whether the designs for the staircases recently erected in Westminster Hall were ever submitted to any Committee of either House of Parliament or to any other body for consideration and approval; whether previous to the commencement of the work any models of the proposed staircases—of iron or other—were made and exhibited to Parliament and the public; and whether, seeing the dissatisfaction that has been publicly expressed regarding these staircases, the Government will cause them to be removed and devise some means of securing the new rooms more in keeping with the original character of the Hall; the whether the approach as the approaches to Westminster Hall from Hyde Park Gate are about to be altered, the Government will cause them to be so formed as to assist in the levelling of the base of the arch at the entrance to the house, which, since its removal to its present site, enjoys the unique privilege among similar structures of having one side considerably shorter than the other consequent upon its being built upon a slope."

*THE CHURCHILLER: My Lords, I only desire to add a few words. I must subscribe in the most emphatic manner the remarks of the noble Earl as to the necessity of having a Committee to consider these architectural works, and that they should not be imposed on the nation—seeing they were to endure for years—without some justification and consideration. It should be an impossibility for such an occurrence to happen in connection with one of the grandest monuments of the world as the erection of these interior structures. Some of your Lordships may remember the ruin which was made when Sir Charles Barry put up the staircase at the end of Westminster Hall, but that was a sheer necessity, and another ruin occurred when regard to the Courts of Justice. My Lords, I venture to say these few words in addition to what has fallen from my noble Friend as to the necessity for having a properly authorized body to consider these works, and that such things should not be allowed to go on without protest. It was no privilege to have a Committee with regard to the removal of the Wallington Monument. The late First Commissioner

promised me that five plane trees which stood in front of Lord Rothschild's house should not be cut down without notice, but those trees were cut down and replaced by small ones, such as the nurserymen could put in. That the right hon. Gentleman, who had, perhaps, taken his ideas from the West of Ireland, where there are very few trees, should pledge himself that the trees should not be cut down, and then that they should be cut down and replaced by broomsticks within two years, is a public scandal. But, my Lords, that is not the question now; the question is whether these particular works which have been designed and approved without being submitted for an expression of public opinion, or to some authority such as has been suggested, should be allowed to remain.

LORD LAMINGTON: My Lords, I can only express a hope that the discussion will induce the Government seriously to consider the question of the reform of the Office of Works. The only Board that ever did anything for the Metropolis was the Metropolitan Board of Works, and now it is gone, I do not know what is to be expected from the County Council.

***EARL FORTESCUE:** My Lords, I desire to express entire concurrence with what has been said as to the vandalism of cutting down those trees which were opposite to Lord Rothschild's house. It is not only that what might have been a very great improvement to the communication of the Metropolis has been very much spoiled as a matter of beauty, but that the inconvenience owing to the utter want of practical knowledge on the subject of Metropolitan communication (and I speak having years ago been a member of a Committee on Metropolitan Communication) has caused a constant block at the meeting of Hamilton Place and Piccadilly. All the traffic from Hamilton Place went either from the south or west, that is, either went to or from Grosvenor Place or to or from Knightsbridge, practically none to or from the east; and the object should have been to provide for a separate continuous communication along Piccadilly. I remember protesting against the undue narrowing of the new extension of the roadway between Hamilton Place and Park Lane. I did so before the railings had been fixed,

and when a slight extension of some 18 feet would have afforded great facilities for the traffic, which, in the graphic words of a policeman there to me, would disentangle itself in the wide space opposite Lord Rothschild's. The answer given was—"It has not been sufficiently tried, and therefore it is premature to express any opinion"; but no time was lost in going to the great expense of fixing the rails in the wrong direction. The opening of Constitution Hill will, I hope, a little relieve the traffic, but the main defect is the want of one line of continuous traffic along Piccadilly. The vandalism of cutting down the handsome trees affording welcome shade was only equalled by the want of practical good sense in the arrangement of the details of the new communication. With regard to the staircases, I concur in every word that has been said as to their ugliness and their marring the character of Westminster Hall. To what do they lead? I do not know whether your Lordships have taken the trouble to examine them, but they lead to a set of perfectly useless rooms opening into each other with no separate passage outside. Although I am bound to say that the architect has certainly shown great taste in some of his ecclesiastical works, he in this case evidently considered first what would look well, in his opinion, from outside, and he cut up the space within afterwards; but it never occurred to him that the first object should have been to arrange a convenient and rational plan. The result is that when it was laid out a large mass of building has been added to Westminster Hall, which is, as regards the tower, perfectly hideous, and is also perfectly useless from the want of common sense in the arrangement of the interior, large as that is. I entirely agree that it is most unsatisfactory that we should have the buildings of the Metropolis at the mercy of chance political agencies. In the course of fifty years—and my memory goes back, I am sorry to say, for fifty years or more—we have had, as my noble Friend truly said, very few heads of the Departments of Woods and Forests, or of Works who had had any previous training at all, or who had anything to do with the laying out of grounds or the arrangement of buildings till they suddenly found themselves for political

reasons put into an office of this sort, and naturally they were under the practical ascendancy of some permanent officials whose zeal is more remarkable than their taste or practical skill.

LORD HENNIKER: I regret, my Lords, that in the course of this conversation, a general attack seems to have been made upon the Office of Works. As far as I am concerned, I am much too humble an individual to venture to discuss matters of taste with my noble Friend, or to venture to give an opinion upon the internal arrangements of the Hall, but I will, as shortly as possible, answer the questions which my noble Friend has put upon the Paper. He asks me, first of all, whether the designs for the staircases recently erected in Westminster Hall were ever submitted to any Committee. In answer to that question, I have to tell your Lordships that the arrangement of the staircases at Westminster Hall was submitted to the Select Committee of the House of Commons, and the plans were approved by that Select Committee. If your Lordships will look at the Blue Book which has been published by that Committee, you will find that the staircases are set forth in the plans marked No. 5a, No. 6a, and No. 8. The only difference between the staircases approved of by the Committee and the staircases erected is this, that they do not project quite so far into Westminster Hall as they were originally intended to do. The next question my noble Friend asks is whether models were made of these staircases. Of course, I am quite ready to admit that it is a very good thing indeed on all occasions when possible to have models of important buildings. But my noble Friend must remember that to have models entails a great deal of expense and trouble, and in this matter of the staircases it was not thought necessary to incur that expense and trouble. My noble Friend has made a general attack upon all the plans of Westminster Hall; but I would remind him that those plans were approved of by the Select Committee. I am perfectly well aware that, although he made a general attack upon those plans, the chief cause of objection, both in the House of Commons and elsewhere, has been all along with regard to these four staircases. Therefore,

with your Lordships' permission, I will just say a few words upon this subject. I would venture to remind your Lordships that it is not at all a new departure having these staircases at Westminster. The four staircases existed from the earliest times in Westminster Hall. Henry III. put up two flights of stairs, and two more were erected at a later period to give access to the rooms which have now been re-erected under the buttresses. All the staircases that are put up in Westminster Hall now are shown on the old plans that are in existence. Notably they will be found in a plan which had the Committee's approval, No. 18. To show that this is not a new departure there is this curious fact. Henry III. cut a doorway at the head of a very large flight of stairs. Mr. Pearson designed a doorway exactly in the same place, not knowing that a doorway was extant, and when he went in and began to put up his doorway he found the old one which had been built up a great many years ago by an architect called Searle. He has now opened this doorway built by Henry III., a doorway from one of the staircases, and it now fills its original purpose. I think this shows that at all events these repairs, or whatever you call them, at Westminster Hall were intended as reproductions, and not as a new departure. I must repeat once more that all these plans were approved by the Select Committee. My noble Friend has quoted the opinion of Lord Grimthorpe in a very characteristic letter, but I must remind the noble Lord that opinion with regard to these staircases is not all on one side. There is a great deal of division upon this subject, and I think as the noble Lord quoted several opinions against these staircases, I may be heard also to quote one or two names which I think deserve attention. Mr. Shaw Lefevre, when he was First Commissioner of Works, had several letters from leading architects. Mr. Euan Christian, then the architect, was at first very much against these staircases, but after he had seen them he changed his mind. Another name which I think will command respect, is that of Mr. Waterhouse, who strongly approved of the staircases. Professor Brooks also approves of them, and also Mr. Bloomfield. These are only a few names out of many who approve of the staircases.

Eari Fortescue

I think I have shown your Lordships that opinion is divided, and that it is not, as the noble Lord seemed to suggest, all on one side. Finally, my Lords, I would say, that on the grounds that these repairs have been done according to plans approved by the Committee, and that Mr. Pearson's plan restores as nearly as possible the old approach to the rooms, and forms—I think I may say—the best means practicable of access to these rooms, the First Commissioner of Works has decided that he will not remove these staircases. I have only one more question to answer, and that is with regard to the arch at Constitution Hill. The fact that one side of the arch appears higher than the other has not escaped the notice of the First Commissioner of Works. It is intended at once to level the front of the Constitution Hill side of the arch by the workmen of the Office of Works, and we have a promise from the Vestry of St. George's, Hanover Square, that they will level the other side in the same manner.

THE EARL OF ROSEBERY: My Lords, I must say that I think the very discussion that has been raised by my noble Friends, who are chiefly responsible for the taste of this House, does illustrate in a very striking manner the unadvisability of accepting their general suggestions. Now, I do not pretend to know whether these staircases are in consonance with Westminster Hall, whether they are good or whether they are bad; but this I do know—that they were arrived at very much by the process which my noble Friends would recommend as an alternate to the present method of procedure. The First Commissioner of Works did not act on his own responsibility, he acted on the advice of the Select Committee of the House of Commons. That, as I understand, is very much what my noble Friend on the Cross Benches (the Earl of Wemyss) desires to carry out. Complaint is made of the unaided responsibility and power of the First Commissioner; and my noble Friend wants him to be assisted by a Council of taste as I understand, whereas it is this very method of procedure which has brought about the state of things of which he complains. I do not know how this Council of taste is to be constituted, but

I do not suppose it will be much better than a Committee of the House of Commons. The House of Commons is, as we all know, composed of 670 of the most intelligent men in the country. A Committee of taste chosen from the House of Commons would therefore imply all that is most desirable from that point of view. But, my Lords, suppose you went outside the House of Commons for a Council to take off responsibility from the First Commissioner of Works. I do not say that the present is an ideal method, but I venture to say this, that it shines in comparison with this suggested alternative. The ordinary First Commissioner is supposed to be a man of business, not unversed in public affairs, who will take a common-sense view of the situation, and get the opinion of experts as far as he can. He is at full liberty to consult with every architect, every man of taste, every ingenious person whom he can call to mind, or who is willing to make spontaneous suggestions to him. Now let us take the alternative. The alternative is to establish a Council on the model, I suppose, of the Council of India. Well, opinion is not unanimous in praise of that Council, and, indeed, I believe Her Majesty's Government are at this moment in process of endeavouring to reduce it. This Council would, I presume, be composed of men of taste. Now, we have heard Lord Grimthorpe's letter to-day. I venture to ask what would be the position of a First Commissioner in whose Council Lord Grimthorpe happened to play a not unimportant part? They say that councils of war never fight. I venture to think that this Council of taste would do nothing else. There would be Lord Grimthorpe, there would be my noble Friends who chiefly inhabit the Cross Benches, and who always speak in these Debates, and there would finally be the dozen architects whom Lord Grimthorpe is so anxious to blow up on the very steps of Westminster Hall which my noble Friend is so ready to condemn. The Office of Works is at present a peaceful abode, and has a chance of doing good work; but I venture to say that if the recommendation of my noble Friend were adopted, it would become a hotbed of turbulent contention from which no plan would ever issue, because it would be absolutely impossible

for the Council of taste ever to come to a conclusion.

*THE EARL OF WEMYSS: I would, with your Lordships' permission, say a few words further. I repeat that the designs of these staircases were not shown. There were plans shown, but the designs were not shown. The only thing in the shape of a design that was shown was the plan of the staircase at the end of the hall, but no design whatever was shown to the Committee of what is the main subject of offence—namely, the staircases in the centre of the Hall. As to the argument that it is simply restoring the Hall to its original position, I will point out to your Lordships plan No. 22, in the Report of the Committee for 1884-85. Your Lordships will see that there is, no doubt, a doorway, and that doorway is in the centre of the Hall, but this one is not, which is a material difference. Again, there are steps, but what are the steps? There are two steps, certainly, but not a double flight of steps, or anything of that kind. Again, the old doorway in the Hall had a Gothic ornamentation round it. Therefore, it is trifling with your Lordships to say that this is simply a restoration of what existed before. I have no doubt my noble Friend can get architects to back up that statement. There are trades unions in architecture as in everything else, and one architect, as a rule, will back up another in questions of this kind. As regards models, I am surprised to hear my noble Friend say that they are costly. Any man who is building his own house would take good care that he had models of almost everything, small and large, before he went on with the building. My noble Friend says that the present constitution of the Office of Works is perfect. I cannot conceive its being worse. Judge them by their works; judge them by the Kensington Gardens. In spite of all that has been said, I still think that the present system is faulty, and that something in the nature of a Council of advice should be constituted.

THE DEBATE ON THE MAR PEERAGE—“HANSARD'S PARLIAMENTARY DEBATES.”

OBSERVATIONS.

THE MARQUESS OF LOTHIAN, in rising to call attention to the report

The Earl of Rossberg

in *Hansard's Debates* of a speech delivered by the Earl of Mar in this House on Monday, 1st July, in which report occur references to the conduct of certain noble Lords, Members of this House, which references were not contained in the speech as originally delivered, said: My Lords, perhaps it is scarcely necessary that I should do so, but I think it would be well that I should state, before I make any further remarks upon this subject, that I am speaking entirely in my private capacity as a Member of your Lordships' House. My Lords, the matter upon which I have ventured to address your Lordships is one of considerable delicacy, and I felt some hesitation before I placed it upon the Notice Paper. It is a matter of delicacy, because it must more or less bring into question the action of a Member of your Lordships' House; but I feel that the course that has been pursued by the noble Lord to whom the notice refers has been so very inconvenient, so very prejudicial to the reputation of your Lordships' House, and—quite unintentionally no doubt—tends to act with such extreme unfairness and injustice upon certain Members of the House, that I thought I should not be fulfilling my duty if I did not bring the matter under your Lordships' consideration. In any remarks which I may have to make, I wish the noble Earl, the Earl of Mar, who I see is present, clearly to understand that I shall make them in no spirit of hostility whatever to him, and I do not wish to impute to him any intention of acting unjustly or unfairly to any Members of the House in any course which he has thought it right to pursue. I may just shortly bring to your Lordships' recollection what happened in the course of the Debate on the 1st July. On that occasion there was a Debate in the House on the question of the Mar Peerage, and the noble Earl, the Earl of Mar, in support of the Resolution of the Earl of Galloway, made a speech. In that speech, to which I listened very attentively throughout, I say with the utmost confidence there was no reference whatever to my name. Not only was there no reference to my name, but there was no reference to the names of the noble Lords who appear in the report of the speech. My astonishment was considerable when two or three days after the 1st

of July my attention was called to a report in the *Times*, in which my name and the names of the other noble Lords occurred as having been mentioned in the noble Lord's speech. Perhaps your Lordships may ask why it was that immediately on this coming to my notice I did not, when the Debate was fresh in your Lordships' recollection, and when the matter could have been more easily discussed and dealt with, at once place a notice on the Paper of the House; but, acting under advice, I thought it was better to defer taking any notice of the circumstance until the semi-official Report had been published in *Hansard's Parliamentary Debates*. There was another reason why I thought it was desirable not to take too hurried action in the matter. As we all know, there may every now and then be certain mistakes and inaccuracies arising from speeches being sent to the Reporters' Gallery before they are delivered in the House, and there may be certain sentences in those speeches which are either left out or inserted by mistake, and the deliverer of the speech may not have had an opportunity of correcting the mistake before it appeared in the papers the next morning. But of course if that had been the case the noble Lord would have had the opportunity of expunging anything which he was aware had not fallen from him before the report actually appeared in *Hansard's Debates*, because the report of the speech to which I am alluding bears an asterisk, which shows that it came under the personal review of the noble Lord himself. I have already stated to your Lordships that there was no mention made of my name by the noble Earl in the speech he made. Yet in the corrected speech of the noble Lord I find these two passages—

"Now, my Lords, to-day we are opposed chiefly by the few Scotch Peers, who, from the beginning, opposed even the rectification of the injustice that Lord Kellie was to hold the Earldom of Mar limited to males, and vote in right of my Earldom that has been acknowledged to be traced through seven ladies. Those Peers, notably Lord Lothian, Lord Elphinstone, Lord Balfour of Burleigh, and the late Duke of Buccleuch, tried to prevent the protests made against Lord Kellie assuming a title the House had not given him being received; and if they could have stopped the protests, and could have carried out their endeavours, they would to this day have prevented justice being done to me, and allowed

Lord Kellie to continue to vote under the old Earldom."

And again—

"Those who have supported Lord Kellie's supposed rights with regard to an Earldom of Mar since 1875—notably, those noble Lords—Lothian, Lord Elphinstone, Lord Balfour of Burleigh, and the Duke of Buccleuch, with the Earl of Selborne, whose action I shall briefly recapitulate directly—should have the courage of their opinions, and be the first to promote investigation into such an attack on the decision of the Committee of Privileges."

Those are the words that appear in *Hansard*. Now, I think I need scarcely assure the noble Earl that I am perfectly willing to stand any amount of criticism from him. He may accuse me of anything he likes in your Lordships' House; he may accuse me of not having the courage of my opinions; he may accuse me, perhaps, of having unfairly stood in the way of his getting what he thinks to be justice in the case of the Mar Peerage. He may do that in the House or out of the House; but what I do object to is that the noble Lord should make these accusations not in the House, but should make them appear as if they had been made in the House when it is perfectly clear that they were not, and, therefore, make it appear that they were submitted to without any remark whatever, and that I should sit in this House and hear insinuations as to my motives and conduct without any protest whatever, and by implication that I accepted those imputations without any comment or denial. Now, as I said before, I do not in the least care about the noble Lord's imputations: he may make any imputations he may like against me, foolish or otherwise, in the exercise of his judgment, but I do say this, that they should be made when I am present, and when I should have an opportunity of contradicting them, or else that they should be made in such a manner that it may be generally understood that I was not present when they were made. My Lords, I think there is another reason, but not a personal reason, why I should venture to bring this matter before the House. I think it is very derogatory to the Official Debates, as reported in *Hansard*, that this kind of alterations and this kind of amendments of speeches should be allowed to proceed. We all look to *Hansard's Debates* as a book of reference, corrected by noble Lords themselves in

very many instances, and we ought to be perfectly certain that the speeches as they are reported are those delivered in the House. I do not know how far it may be carried, but in this instance I think your Lordships will admit that I am perfectly justified in bringing the matter before the House. Of course the difficulty about this question is, and I have felt it very strongly, the difficulty of proving a negative; but I have consulted with two of the noble Lords who are mentioned in conjunction with me, and I have asked many noble Lords who were present during the Debate, and no single one of them is able to say that the words in *Hansard* were used by the noble Earl. There is one thing which makes me absolutely certain that those words were not used, and that is that the noble Earl has ventured to introduce the name of the late Duke of Buccleuch in connection with this Mar Peerage case. Now, all who had the privilege of knowing the late Duke of Buccleuch know that he was absolutely incapable of taking any line of conduct except that which he thought absolutely right and just. I do protest most earnestly against the memory of a man who has gone being attacked in this way, not in the House, but by the noble Lord when correcting a report of his speech. I do not wish to pursue the subject any further. I have spoken, my Lords, simply as a private Member of your Lordships' House, and I hope your Lordships will not think that I have gone too far in calling attention to the matter. I leave it to your Lordships to say whether you think that the mere fact of having drawn attention to it is sufficient, or whether you think that any further notice should be taken of it. For myself, I am perfectly satisfied of the fact that I have done my duty in calling attention to it, feeling perfectly certain that the noble Earl will, after this, be more cautious and more careful in the corrections he may make of any speech he may address to your Lordships in the future.

*THE EARL OF MAR: My Lords, I beg to thank the noble Marquess for calling attention to this matter, for I am anxious not to transgress any rules of this House, written or unwritten, though I venture to think that I have scarcely done so. I am sorry if any slight irregularity in the report of my speech should have occurred

through misadventure on my part. I must explain that, in consequence of the Earl of Selborne having opposed Lord Galloway's Motion in a speech of very considerable length, introducing many assertions which I felt bound to answer and refute, the Debate lasted to a late hour, and it is possible, of course, that in my speech, the time being very short, I omitted to say very fully every word of the particular observations which Lord Lothian complains that I left out, though I certainly expressed the substance of them, and I meant to say the whole of them. Messrs. Hansard, as is customary, after the Debate, asked me for my notes, and a few days afterwards I received from them a printed proof for my revision. Now, my Lords, after the somewhat long speech which it was my duty to make to your Lordships, I found it naturally rather difficult, as all your Lordships I venture to say find on similar occasions, to recall every word said, and I am sure many noble Lords present will admit that it frequently happens that on revising proofs of speeches you may revise them to rather a fuller extent, by way of explanation, than the words actually used. On the other hand, as in the case of my speech on the 1st instant, the printed reports omit some passages that are said. That is but natural considering the difficulties under which Messrs. Hansard labour in this House in consequence of their representative being placed where he cannot hear every word spoken. I understand that Messrs. Hansard have addressed a letter to the Marquess of Lothian on the subject of their reports in general, and in allusion to the Debate on the Mar Peerage they say—

"Whether the revised speeches accurately represented the utterances in the House could only be tested by a comparison with the notes of a competent shorthand writer placed in a position to hear everything."

Now, in justification of these remarks which the noble Marquess says I did not completely state to the House—and I have been rather severely taken to task for those remarks appearing in print—it is my duty to make an explanation, which I will do in as brief terms as possible. These noble Lords, Lord Lothian, Lord Elphinstone, Lord Balfour, and the late Duke of Buccleuch (I am bound to mention his Grace's

The Marquess of Lothian

relax the restrictions upon the importation of cattle and sheep from countries such as the United States, Spain, and Belgium, where, according to good information, cattle disease does not now prevail?

THE VICE CHAMBERLAIN (Viscount LEWISHAM, Lewisham): The statement is not correct as to German sheep. German sheep have been landed for slaughter only, or totally prohibited since January, 1877. Cattle from Spain were not subject to slaughter at the ports until June 19, 1881, consequently there was nothing to prevent the sale of Spanish cattle in Salford Market up to that date. With regard to Belgium and the United States of America, the information in the possession of the Privy Council shows that cattle disease does exist in both those countries. And with reference to Spain, the Privy Council are not satisfied as to the laws regulating the importation of animals into that country. Under all these circumstances, the Privy Council do not propose at present to make any alteration respecting the landing of animals from the countries named in the hon Gentleman's question.

MR. KNOWLES: Is it the fact that the importation of cattle to this country from foreign countries where the cattle disease does not prevail is prohibited because there is no prohibition of importation into those countries from countries where the disease does prevail?

VISCOUNT LEWISHAM: I must ask the hon. Member to give notice of that question.

THE BELFAST WORKHOUSE.

MR. BIGGAR (Cavan, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been drawn to the fact that the irregularities in the management of the Belfast Workhouse had become so numerous and complicated within the past eight months that the Guardians felt obliged to invoke the aid of the Local Government Board to elucidate matters by means of a sworn inquiry, which was duly held in accordance with their expressed wish; is he aware that, as the result of this inquiry, the Local Government Board, in a communication to the Belfast Board of Guardians, dated 24th June, 1889, stated that the master of the Belfast Workhouse

"Neglected to look after the issue of food for the inmates, which is a very important part of his duty; that he certified the storekeeper's accounts without any examination as to their correctness;"

and that, having regard to the master's disobedience to the orders of the Board of Guardians, general inefficiency, and neglect, the Local Government Board had no longer confidence in him, and requested the Guardians to call upon the master to resign his position; is it true that the Guardians have failed to comply with this request from the Local Government Board, although the Guardians do not appear to disagree with the finding; and what steps, if any, will be taken to give effect to the wishes of the Local Government Board; and is such delay, as is herein shown, usual in dealing with an official who has been declared incompetent?

THE CHIEF SECRETARY FOR IRELAND (MR. A. J. BALFOUR, Manchester, E.): It is the case that, in compliance with a Resolution of the Board of Guardians, the Local Government Board instructed an Inspector to make an inquiry into certain irregularities in the management of the Belfast Workhouse. The result of the inquiry was communicated to the Guardians on the 24th of June, and the letter of the Board contained the statement quoted in the second paragraph of the letter. The Board Local Government Board have the matter now under their consideration, and there will be no delay in dealing with it.

CASE OF MICHAEL LARKIN.

MR. JUSTIN M'CARTHY (London-derry): I beg to ask the Chief Secretary for Ireland whether his attention has lately been called to the case of Michael Larkin, of Deal Street, Salford, on whose behalf a Petition was presented to the House of Commons in June 1888, from which it appears that Michael Larkin was convicted at the Limerick Quarter Sessions in January, 1862, on a charge of having uttered a base half-crown, and also on a charge of having been previously convicted of a similar offence at Cork in 1858, and was sentenced to penal servitude for life; but it having afterwards transpired that Larkin was not the man convicted at Cork, and that the evidence against him in the Limerick case was

much discredited, Larkin received a free pardon, after having been more than 15 years in prison, but got no compensation for those lost years of his life; and, whether, under all the circumstances, he will endeavour to obtain some compensation for Larkin?

MR. A. J. BALFOUR: Michael Larkin and one McMahon were on 7th January, 1862, convicted at Limerick Quarter Sessions on the charge of uttering base coin, and this having been the second conviction for this class of offence of Larkin he was sentenced to penal servitude for life. He did not subsequently receive a free pardon on the ground alleged in this question. There was no doubt entertained in regard to his previous conviction, nor in regard to his guilt on the second occasion. But it appearing that the Chairman of Quarter Sessions, when passing the sentence of penal servitude for life, thought that according to the Prison Rules this man would after a period of years be released, the Government of the day decided that as he had served 15 years in penal servitude the remainder of the sentence should in substance be remitted, and he was freed from the obligations of conforming to the conditions of his licence. The man was properly convicted. That conviction was reviewed by successive Governments on memorials submitted by the convict while in prison, the decision invariably being that the law should take its course. And there is no ground whatever for considering the question of compensation in the matter.

WESTERN AUSTRALIA.

MR. KING (Hull, Central): I beg to ask the Under Secretary of State for the Colonies whether the attention of the Secretary of State has been given to the Return presented to the House purporting to be a Return of sales and grants of land in Western Australia during the past ten years, and in particular to certain discrepancies of statement on the face of the Return; whether he has observed that, while the hon. John Forrest, Commissioner of Crown Lands, who makes the Return, states that the total number of acres "alienated" was 1,877,045 up to the end of 1877, and during the past ten years only 285,044, he gives a record of over 130,000,000 acres granted under the head of

Mr. Justin M. Carthy

"Leases, licences, &c., of Crown lands, showing rents or instalments of purchase money due for 1889," but without indicating how many of the annual payments are rents and how many instalments of purchase money; whether the Colonial Office has any information as to how many of the holdings are leases and how many acres have been purchased on payment by annual instalments, and whether he can explain the exact meaning in the Returns of the word "alienation;" whether the Secretary of State has observed that "leases" or "licences, &c.," have been granted to individuals or syndicates or banks of blocks of land amounting to many millions of acres, and whether any persons or officials who have been in the service of the Government are directly or indirectly interested in any of these grants; whether any of the Forrests to whom certain of these grants have been made are relatives of the Commissioner of Crown Lands; if so, if he will explain the circumstances under which these grants have been made; whether it is correct, as stated in the Colonial Office List, that while the entire area of Western Australia at present under cultivation is 105,582 acres, and only 2,895 square miles have been "alienated," 201,904 square miles are "leased, licensed, &c.," while 853,203 square miles remain still unoccupied; and whether, in view of these facts, he will order an inquiry into the manner in which the Government of Western Australia has dealt with the Crown lands, and in the meantime consider the propriety of withdrawing the Bill for the Government of Western Australia until these matters have been investigated?

*THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de Worms, Liverpool, East Toxteth): The Return as to sales and grants of land in Western Australia has been examined, and does not appear to contain any discrepancies of statement. If my hon. Friend will refer to the land regulations printed in C. 5743, he will find information explanatory of the Return and of the mode in which the Crown lands are dealt with. As regards the second and third paragraphs of his question, although the sales on deferred payment are not distinguished from the pastoral leases in this Return, it is

apparent that the small holdings are cases of purchase under deferred payment, and the large acreages are pastoral leases. It is not understood why, for present purposes, it is material to have the information in greater detail. "Alienation" is shown in the land regulations to be used, as elsewhere in Australia, in its natural sense to indicate land sold, or conditionally sold, in fee, as distinguished from lands leased and resumable by the Crown. With respect to the fourth paragraph, it is well-known that in Western Australia, as in the other Australian colonies, immense tracts are leased by persons or companies to be used for grazing until required for sale in fee, when they are resumed without compensation. It is not known whether, or how far, official persons in Western Australia have been or are interested in these leases. They are obtained by the first applicant, without favour; and in the other colonies Government officers have not been precluded from having shares in pastoral leases. As regards the fifth paragraph, some at least of the Forrests mentioned are relatives of the Commissioner of Crown Lands. One is a well-known explorer and land agent, and he has the same right as any other person to apply for a lease. As regards the sixth paragraph, probably the statement in the Colonial Office List was correct up to date. In regard to lands alienated, it is closely in accordance with the Return lately presented to the House. There is no ground for ordering an inquiry into the matter in which the Colonial Government has dealt with the Crown lands, which are managed with the utmost publicity, in exact accordance with the regulations approved by Her Majesty's Government. There are no indications of any abuses or mistakes such as should be investigated before the Responsible Government Bill is passed.

SIR G. CAMPBELL (Kirkcaldy): Perhaps it will be convenient for the right hon. Gentleman to answer now the further question on the same subject which appears on the Paper in my name—namely, whether he can state under what circumstances large blocks of land in Western Australia have been given over to single individuals or firms, often amounting to several millions of acres in each case; whether there has been

anything to prevent banks and individuals accumulating in their own hands hundreds of separate grants; under what rule were lands leased or sold previous to the recently promulgated rules, and whether some of the large grants were made outside of rules with the sanction of the Legislative Council under Mr. Forrest's Memorandum, paragraph 6; for what terms leases previous to the new rules are held, and when they terminate; and, whether there is any truth in the assertion that West Australian land leases are renewable and practically perpetual?

*BARON H. DE WORMS: In reply to the first paragraph of the hon. Member's question, I have to say that these large blocks of land are not granted or given over, but leased for pastoral purposes under the Land Regulations (No. 56 and following), printed at page 98 of Blue Book C. 5743. The answer to the second paragraph is in the negative. The practice throughout Australia has been to allow the holding of numerous pastoral leases by an individual or company. The lands held by the banks have no doubt passed into their hands through the failure of leasees to repay advances. As regards the third paragraph, such lands were dealt with under the previous regulations of October 11, 1882, which did not differ materially in principle from the present regulations. All the large areas of land mentioned in the Return are under pastoral leases. Grants made under Regulation 115 (printed at page 107 of C. 5743) have rarely been large. As regards the fourth paragraph, leases issued previous to the new rules expire on December 31, 1893; that is, for the most part they were for about 11 years. The assertion referred to in the fifth paragraph is unfounded. The form of lease printed at page 113 of C. 5743 contains no provision for renewal, and it expressly stipulates that during the term of the lease the Government may sell to any person all or any part of the leased lands, and may grant or sell all or any part for public purposes.

SIR G. CAMPBELL: I beg to give notice that in moving the rejection of the Western Australia Constitution Bill I will call attention to this subject.

MR. CHILDERS (Edinburgh, S.): In reference to the answer to the second question of the hon. Gentleman opposite

(Mr. King), may I ask if there is any objection to give a supplemental Return to show what are and what are not Crown lands?

*BARON H. DE WORMS: I will endeavour to do so.

DIRECTOR GENERAL OF TELEGRAPHS IN INDIA.

MR. KING: I beg to ask the Under Secretary of State for India whether any arrangement has yet been made for filling up the post of Director General of Telegraphs in India, vacated by the retirement of Sir A. Cappel; and whether, in view of the long delay in promotion in the Indian Telegraph Department, and the consequent dissatisfaction in the service, care will be taken in filling up the post to promote to it a member of the Indian Telegraph Department?

*THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): Not yet; as Sir A. Cappel, who is in this country, only sent in his resignation on the 1st of this month. There is reason to believe that the Acting Director General will succeed him.

THE OLD RIVER LEA—THE POWDER WORKS AT WALTHAM ABBEY.

SIR HENRY SELWIN-IBBETSON (Essex, Epping): I beg to ask the Secretary of State for War if his attention has been called to the serious losses the farmers at Waltham Abbey, in Essex, have sustained from the frequent flooding of the land caused by the silting up of the Old River Lea which forms a part of the Waltham Abbey Powder Works property; and, whether the War Office are proposed to dredge or straiten the river so as to prevent the recurrence of these losses?

MR. BRADLAUGH (Northampton): As I have been in the habit of fishing at King's Weir for the last 30 years, may I ask whether it is not the fact that the river has been entirely neglected by the Government, that it has remained entirely undredged, and that the weeds are never cut so that whenever there is an extra flood the water rises nearly to the level of the weir and renders fishing impossible?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): Complaints as to the floods

have been received, but the liability to keep the River Lea dredged is a part of matters which have been for many years in dispute, and the War Department does not admit that the onus lies upon it to do so, although it would benefit equally with other riparian owners if joint action to prevent floods could be taken. Legislation is probably called for; but the Floods Prevention Bill of 1881 having failed to become law, the Conservators appear to be unable to cope with existing difficulties.

MR. BRADLAUGH: The Conservancy cannot touch this water, because it is in the hands of the Government, and as the Government do not touch it, it has gone to the bad.

SIR H. SELWIN-IBBETSON: Arising out of the answer of the right hon. Gentleman, may I ask if he is not aware that the flooding affects the Government works almost to the same extent as those of the other riparian owners?

*MR. E. STANHOPE: I have already said so, but I dispute that the Government should have the sole liability in the matter.

PIGEON FLYING ON SUNDAYS.

MR. SAMUEL SMITH (Flintshire): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to a statement that the railway companies in the Black Country lend facilities to the sport of pigeon flying on Sundays; that boxes, containing pigeons, are sent by the trains which the stationmaster has to open on arrival, liberate the pigeon, enter the time on the label, and return the box by next train; whether such a course is legal; and, whether he can devise any means for suppressing this unnecessary Sunday labour?

MR. S. BUXTON (Tower Hamlets, Poplar): Before the right hon. Gentleman answers the question, I should like to ask him whether any harm or cruelty results from this sport, and if it would not be a great mistake to interfere with it?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): My attention has not been drawn to this matter, and the Board of Trade also inform me that they have no cognizance of it. I am not aware of any Statute which would

Mr. Childers.

make such a practice illegal. I presume that this Sunday labour is voluntarily undertaken by the stationmasters. I do not think that it is so oppressive in its nature that the Government would be justified in legislating for its suppression.

INDIA—DISTRESS IN DIAMOND HARBOUR SUB-DIVISION OF PEGUNNAHS—COLLECTION OF TAXES.

MR. BRADLAUGH: I beg to ask the Under Secretary of State for India whether he is aware that, in the Diamond Harbour sub-division of the 24 Pegunnahs, Bengal, where the collector, Mr. Bolton, declares there is no acute distress, the Municipal Commissioners of Joy-nugger have resolved that the collection of taxes up to next December shall be realized without the pressure of distress warrants upon the people who are actually in distress, and are unable to pay; and, whether the Secretary of State will instruct the Lieutenant Governor of Bengal to institute a special inquiry, in order to ascertain whether the Joy-nugger Commissioners were justified, in view of the collector's statement, in taking so extreme a course?

SIR J. GORST: No information has been received from India on the subject. There do not appear to the Secretary of State to be grounds for instituting an inquiry. The matter is one which may safely be left in the hands of the Lieutenant Governor of Bengal.

MR. BRADLAUGH: Is the hon. Gentleman aware that the same opinion prevailed in reference to the North Western Provinces some years ago, and that a large number of persons died in consequence of no inquiry being made?

SIR J. GORST: I should like to remind the hon. Gentleman and the House that there are in India regulations which have been settled after great care and consideration, and that any rash interference with them would be very likely to lead to disaster.

DISTRESS IN GANJAM—REMISSION OF REVENUE.

MR. BRADLAUGH: I beg to ask the Under Secretary of State for India whether the Madras Government has granted any remission of Land Revenue in Ganjam to help the ryots to tide over the period of scarcity; if so, to what extent; and, if not, whether he is aware

that the principle of remissions have always been recognised and acted upon in Madras during a scarcity?

SIR J. GORST: The Madras Revenue system provides for remission of Land Revenue in case of drought. The rule will, no doubt be, acted on in Ganjam; but it is too early yet to obtain reliable information as to the amount of remission granted.

HOMELESS CATS IN THE METROPOLIS

MR. H. R. FARQUHARSON (Dorsetshire, W.): I beg to ask the Secretary of State for the Home Department, whether he is aware that there are usually in London a large number of homeless cats; if he has any information whether the bite or scratch of a cat can convey hydrophobia; and, whether, if such is the case, he will take care that the muzzling order is extended to cats, and that the police have instructions to arrest and, if necessary, to destroy all unmuzzled cats?

MR. MATTHEWS: I believe, after the best inquiry I have been able to make, that there are a large number of homeless cats in London. I understand that the bite or scratch of a rabid cat can convey hydrophobia, but happily cases of rabies in cats are comparatively rare. In the opinion of the authorities it is not practicable to muzzle cats, so as to prevent them from using their claws as well as their teeth. If I gave the police instructions to "arrest" cats I am doubtful if they would find it easy or possible to obey my instructions.

BUILDING SOCIETIES.

MR. SEALE HAYNE (Devonshire, Ashburton): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the statistics of building societies and the comments thereon given in this year's "Whitaker's Almanack;" whether certain building societies continue to grant appropriations by lottery-ballot, and to re-purchase them, at the expense of their members, at about £12 per cent; whether he is aware that this practice has been characterized as "pure gambling" by the Assistant Registrar in March 1886, and strongly deprecated by the Chief Registrar in his Report for 1885; whether it is true that 199 Starr-Bowkett societies are insolvent, and that 72 societies mentioned in Mr. Starr's work

on Starr-Bowkettism (April 1883) are not to be found in the Government Return to the end of 1886; and, whether, having regard to the large income of these societies (over £700,000), he will take any steps to stop the serious evil of gambling in appropriations in them by putting in force the Lotteries Acts?

MR. MATTHEWS: The answer to the first three paragraphs is in the affirmative. With regard to the fourth paragraph, the annual Return for the present year is now being prepared, and the precise figures cannot yet be verified; but it is true that a large number of Starr-Bowkett Societies show a balance deficit in their accounts, especially when the amounts expended in the purchase of appropriations are excluded as the Act of Parliament requires. Many have been dissolved, and are, therefore, not now included in the Return. I am informed by the Registrar of Friendly Societies that the practice extends far beyond the Starr-Bowkett Societies, who are not by any means the worst offenders in this respect. I am advised that it is doubtful whether the practice of balloting for appropriations falls within the Lotteries Acts. It is a practice of very old standing; and I should not think it advisable to institute prosecutions against these societies, especially as no representation has reached me as to any necessity for any such interference of the Government.

THE NAVAL MANŒUVRES.

MR. MARK STEWART (Kirkcudbrightshire): I beg to ask the First Lord of the Admiralty whether he will give instructions to Officers commanding ships in the forthcoming Naval Manœuvres, that, subject to the exigencies of warfare, as little disturbance as possible should be made on Sundays?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): Naval operations cannot be summarily suspended on the Sunday and recommenced next day; but every care will be taken to disturb as little as is possible the sanctity of the Sabbath.

WOOLWICH ARSENAL.

COLONEL HUGHES (Woolwich): I beg to ask the Secretary of State for War what action he proposes to take on the Report of the Select Committee on

workmen in Woolwich Arsenal and other Government establishments, entered from 1861 to 1870, being entitled to superannuation; and, whether, if legislation be required to carry out the recommendation of the Committee, such legislation will be proposed this Session?

*MR. E. STANHOPE: I am sorry not to be able as yet to answer the question of my hon. Friend. The matter is one of considerable importance, and it is still under consideration.

CONTRABAND GOODS.

MR. COZENS-HARDY (Norfolk, N.): I beg to ask the Chancellor of the Exchequer whether it is a fact that Custom House officers have instructions to pierce with a sharp instrument reels of paper imported from abroad on the chance of their containing contraband goods; whether he is aware that such piercing seriously damages the paper itself, and renders it useless for the purpose for which it is imported; and, whether, in any case in which no contraband goods are found concealed in the paper, the Treasury will undertake to make good the loss sustained by the importer?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I have to inform the hon. and learned Member that reels of paper, in common with all other goods, are subject, for Revenue purposes, to Customs examination on importation. By the Customs Consolidation Act of 1876, the duty of unpacking goods for the purposes of such examination devolves upon the importer; but where, as in goods of the kind in question (the unrolling of reels of paper at this stage being virtually impracticable) he does not choose to unpack the goods, the examination is made by passing a very fine spit between the rolls of paper after the outer bands of the package have been loosened. Not more, however, than one package probably in each consignment is subject to such examination, and every precaution is taken by officers of Customs to cause the least possible damage. Attempts have been made to introduce contraband goods into this country in packages of goods of a like nature to reels of paper, and it is therefore absolutely necessary that a sufficient examination should be made to satisfy

Mr. Seale Hayne

the officers of Customs. In two instances in which application was made, the paper was sent in charge to the newspaper office for which it was intended, and there unrolled in the presence of the Customs officers. From the absence of complaint the Board of Customs have no reason to suppose that serious damage has been caused by the examination of reels of paper on importation. The Crown is not liable to make compensation for any damage necessarily caused to goods on importation by Customs examination.

BURIAL BY MISTAKE.

MR. MONTAGU (Tower Hamlets, Whitechapel): I beg to ask the Secretary to the Local Government Board whether his attention has been called to the following facts: Mrs. Toop, an inmate of the Whitechapel Infirmary, died there on Tuesday last, and her friends forthwith made arrangements for the funeral; but when the undertaker called at the infirmary, a body, which was not that of Mrs. Toop, was offered to him; and the friends of the latter, in spite of repeated applications, have not been able to obtain delivery of her body, which, it is understood, has been buried by mistake; and, whether he will point out to the Guardians of the Whitechapel Union that it is their duty to recover the body of Mrs. Toop, and hand it over to her friends?

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (MR. LONG, Wiltshire, Devizes): I have made inquiry as to the case of Mrs. Toop. It appears that the deceased died in the infirmary of the Whitechapel Union on the 9th instant, and the body was the same day removed to the mortuary and placed in a coffin for interment in ordinary course. On the 10th instant, the relatives of the deceased notified their desire to inter the body at their own expense, and it was intended that the body should be retained in the mortuary for removal by them. There were four bodies awaiting removal in the mortuary, and of these, three were for removal by the contractor to the guardians. In the removal of the three bodies on the 11th instant, the officer in charge made the unfortunate mistake of causing the removal of the body of Mrs. Toop, in place of that of one Emily Preston. No notification was received by the in-

firmary authorities of the mistake, and it was not discovered until the friends applied for the body. The guardians deeply regret the occurrence, and steps are being taken by them with the view of the exhumation of the body for re-interment.

MR. PICKERSGILL (Bethnal Green, S.W.): Is it not the fact that the authorities of the Ilford Cemetery received an order to inter the body of Annie Preston, and under that order buried a coffin with a plate having a totally different name upon it—namely, Emma Toop?

MR. LONG: I believe that was so, but steps have been taken to remedy the mistake, as far as possible.

MR. PICKERSGILL: Will the right hon. Gentleman the Home Secretary cause inquiries to be made as to the negligence, or apparent negligence, of the authorities at the Ilford Cemetery?

MR. MATTHEWS: My attention has not been called to the matter, which is within the Department of the Local Government Board.

MR. PICKERSGILL: I presume that the regulations under the Burials Act come under the authority of the right hon. Gentleman.

MR. MATTHEWS: If I have any authority in the matter I will cause inquiry to be made.

USIBEPU.

MR. T. E. ELLIS (Merionethshire): I beg to ask the Under Secretary of State for the Colonies whether General Smyth, while in command of the British forces in Zululand in 1888, presented Usibepu with 30,000 rounds of ammunition from the stores of the Coast Column; whether Usibepu thereupon raided his neighbours living in Ngandawe, on the Bongo, and also two tribes of Amatongas, who were subject to the Queen of Amatongaland, and in no sense concerned in Zululand affairs; and, whether this present of ammunition to Usibepu was made with the consent of the Zululand civil authorities?

BARON H. DE WORMS: Lieutenant-General Smyth issued 2,880 (not 30,000) rounds of ammunition to Usibepu in August, 1888, for purposes of self-defence. Usibepu did subsequently make a raid upon the two Chiefs referred to in retaliation for some alleged acts of

aggression on the part of their people. The Chiefs in question, although Tongas in race, are regarded as British subjects and belonging to the political system of Zululand. The ammunition was issued to Usibepu by the General on his own responsibility at a time when he was beyond the reach of communications from the civil authorities.

MR. T. E. ELLIS: Does the hon. Gentleman approve of the action of General Smyth?

BARON H. DE WORMS: Yes, Sir.

MR. T. E. ELLIS: I wish also to ask the right hon. Gentleman whether, at the end of last May, Usibepu, though charged with murder, was allowed to return to his home contrary to the advice of Europeans in Zululand well acquainted with the state of the country; and, whether he can state at whose recommendation and upon whose responsibility this step was taken?

BARON H. DE WORMS: As I intimated to the hon. Member in replying to him on the 11th instant, our information is that Usibepu remains at Etchowe; but inquiries will be made.

IRELAND—MR. GILL AND MR. COX.

MR. ARTHUR WILLIAMS (Glamorgan, S.): I beg to ask the Chief Secretary for Ireland whether the statement made by Mr. Hamilton, the Resident Magistrate at the trial of Mr. Gill, M.P., and Mr. Cox, M.P., at Drogheda, that—

"He saw nothing in Police Constable Robinson's evidence to justify the imputation of perjury,"

was not made at the outset of his cross-examination, before Mr. Bodkin, the defendant's counsel, had subjected the witness to tests the result of which was that the magistrates dismissed the charge, because they considered the evidence of this witness unreliable; and, whether a searching inquiry will be instituted into the circumstances under which this unreliable evidence was put forward; and, if so, what will be the nature of the inquiry?

MR. A. J. BALFOUR: I understand that the facts are substantially as stated in the first paragraph, though I may add that it appears that after the constable's evidence had terminated, and other witnesses had been examined, Mr. Bodkin, the defendant's counsel, renewed the charge of perjury, and the

Resident Magistrate told him that he thought he should not make that observation. The Inspector General will make careful inquiry into the matter.

REGISTRATION OF JOINT STOCK LIMITED COMPANIES.

MR. WATT (Glasgow, Camlachie): I beg to ask the Chancellor of the Exchequer whether there is any precedent for charging two Stamp Duties in connection with the Registration of Joint Stock Limited Companies; and, whether he can state the amount of duty collected during the first six months of the current financial year from the new tax in excess of his estimate of £110,000 for the year?

MR. GOSCHEN: In reply I have to inform the hon. Member that there were two duties already so charged before the new duty was imposed on the nominal capital of a company—namely, a Fee Duty upon registration, and a 10s. Stamp Duty on the Memorandum of Association. During ten months in the last financial year, the new duty brought in about £160,000, as against the Estimate of £110,000. The first six months of the current financial year have not yet expired, but the yield for the first quarter has been (approximately) £70,000. I fear, however, that I cannot look upon this as giving me a hope that the total yield for the year will be four times that amount, because there has been an extraordinary activity during the last three months in the promotion of companies. No one can say that it will be continuous.

BUSINESS OF THE HOUSE—SUPPLEMENTAL ESTIMATES.

SIR G. CAMPBELL: I beg to ask the Secretary to the Treasury whether there are yet any Supplemental Estimates to be presented this Session; when they may be expected; and whether sufficient time will be given for their consideration before the House is asked to vote them; why the Estimates for compensation to men accused of the Edlingham burglary, which was understood to have been paid last year, has not yet been presented; whether there will be an Estimate for sums required for special works in Ireland, or how money is to be raised for that purpose; whether the House has heard the amount of demands in aid of Cyprus;

Baron H. De Worms

and, whether it is true that the Government have agreed to pay three-fourths of the subsidy for a line of steamers between the Canadian Dominion and Japan and China; and, if so, when that will be presented for sanction?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): There are a few Supplemental Estimates which it will be necessary to present this Session. The details of one or two of them are not yet finally settled; but they will be presented in sufficient time to give hon. Members a full opportunity of considering them. The payment made in respect of the Edlingham burglary will be included in the Vote for repayments to the Civil Contingencies Fund, which will form one of the Supplemental Estimates. I have not heard of any Supplemental Estimates that will be required for special works in Ireland, or as an addition to the grant in aid for Cyprus. The Government has agreed to the payment of three-fourths of a subsidy to the Canadian Pacific Railway for a service to China and Japan *via* Vancouver. The Treasury Minute respecting the contract, and the contract itself, will be laid on the Table either to-night or tomorrow.

CHITTAGONG AND ASSAM RAILWAY.

MR. BRADLAUGH: I beg to ask the Under Secretary of State for India whether the Secretary of State has received a Despatch from the Government of India on the Chittagong and Assam Railway scheme, recommending the granting of a concession of land and mining rights to a syndicate, such concession granting 10 square miles of land for every mile of railway constructed; whether he will lay a Copy of the Despatch in question, and all Papers connected with the subject, upon the Table of the House; and, whether, before any binding engagements in connection with the proposed new policy are entered into, the House will be afforded an opportunity of discussing the subject?

*SIR J. GORST: The Despatch has been received very recently; and the Secretary of State is unable at present to make any statement on the subject.

MR. BRADLAUGH: Does the hon. Gentleman mean that there has been a new departure of policy in reference

to Indian Railways, and that huge tracts of land are to be handed over to concessionaires in future without any expression of opinion on the part of this House?

[No answer was returned.]

MAIL FROM DUBLIN TO WATERFORD.

MR. RICHARD POWER (Waterford): I beg to ask the Postmaster General whether it is the case that, within the seven months ending 30th June, 1889, the day mail from Dublin to Waterford, by which the greater part of the English letters are conveyed, has been delayed for some hours on 12 different occasions owing to the Dublin train being late at Kilkenny; whether he is aware that these repeated delays cause very serious inconvenience to the citizens of Waterford; whether it is the case that in March last a deputation, consisting of the Mayor of Waterford and several citizens, came to London specially to present a memorial to him on this subject, and to point out that there is an alternative route *via* Maryborough, by which, at very trifling expense to the Post Office, these delays might be almost wholly avoided, and the mails otherwise accelerated; and, whether he can hold out any hope of the prayer of this memorial being acceded to?

*THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): Since the 21st February last, when letters were addressed by my direction, to the Waterford Chamber of Commerce and the Harbour Commissioners on this subject, the day mail from Dublin to Waterford has, I understand, been delayed only three times. On each of these occasions, the English mails were late in arriving in Dublin owing to stress of weather, and though the Great Southern and Western Railway Company used every effort to make up time on the journey *via* Carlow to Kilkenny, they were unable to secure a connection at that station with the train to Waterford. I am quite alive to the importance of securing an uninterrupted communication between Dublin and Waterford, but when the subject was last brought under the notice of the Waterford and Central Ireland Railway Company, who are the owners of the line between Maryborough and Kilkenny,

injuries inflicted. The three persons named are tenants of Lord Kenmare's who had paid their rents, which appears to have been the motive for the outrages. No arrests have so far been made.

MR. SEXTON: How long a time is it since all associations deemed to be dangerous have been suppressed by the Irish Government?

MR. A. J. BALFOUR: If the hon. Member thinks that we claim to have succeeded in putting down all outrages, I may state that no such claim has ever been made by the Irish Government.

SIR J. SWINBURNE (Staffordshire, Lichfield): Upon what information does the right hon. Gentleman found his statement that these cattle were stabbed owing to the fact that the tenants to whom they belonged had paid their rent?

MR. A. J. BALFOUR: Upon the best information I can obtain.

MR. CONYBEARE.

MR. JOHNSTON (Belfast, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is a fact that the hon. Member for the Camborne Division of Cornwall (Mr. Conybeare), being a Protestant, had himself registered as a Roman Catholic, and attended Mass in Derry Gaul; and, whether the prison regulations permit any prisoner to choose the religious denomination under which he shall be registered, or whether this is an indulgence extended to political prisoners? I wish to say that I wrote "so-called political prisoners." There are no political prisoners in Ireland.

MR. SEXTON (Belfast, W.): Before the question is answered, I wish to ask whether the hon. Gentleman is entitled, in putting a question, to assume as a fact that which is a matter of argument?

*MR. SPEAKER: As a matter of fact, I directed that that question should be omitted, and it appears on the Paper by inadvertence. Seeing it on the Paper, I have allowed it to be put for this reason—that the latter part of it seems to be a matter of public importance.

MR. A. J. BALFOUR: In accordance with the Speaker's ruling, I will confine my answer to the last paragraph of the question. It is open to any prisoner to name on reception the religious

denomination under which he is to be registered.

IRISH JURIES.

MR. W. A. MACDONALD (Queen's County, Ossory): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the fact that at the Maryborough Summer Assizes, on Monday the 8th instant, when two men named respectively Lawrence Hickey and Denis Connell were indicted for the wilful murder of Denis Daly, 27 special jurors, 24 of whom were Roman Catholics, were ordered by the Crown to stand by, and that several of the gentlemen so ordered entered a strong protest; whether the report is true that, after a jury had been sworn, consisting of eleven Protestants and one Catholic, one of the jury, Mr. Smellie, a Protestant, who had neither been challenged or ordered to stand by, said, in open Court, "I object to try a man for life on a packed jury;" and, whether he will take steps to secure that Roman Catholics shall be more adequately represented on juries in criminal cases in Ireland?

MR. A. J. BALFOUR: I understand that it is the case that, at the trial referred to, 27 special jurors were ordered by the Crown to stand aside and that 20 were challenged on behalf of the prisoners. I have no knowledge as to the religion of the jurors. I understand that some few men protested. The explanation of their conduct may perhaps be found in a circular addressed to all the special jurors of Queen's County, calling upon them to protest in such a manner as would, in the language of the circular, "most strike the public mind, not only in Ireland but in England." The member of the jury named seems to have made the observation attributed to him, though it is manifest that he subsequently, on hearing the evidence, had no doubt as to the guilt of the prisoner, seeing that he found a verdict convicting him. No juror will be asked to "stand by" by reason merely of his religious persuasion.

THE ALLEGED DESERTER THOMPSON.

SIR GEORGE CAMPBELL: I beg to ask the Secretary of State for the Home Department whether, under the Law of England, a free British Subject can be arrested, carried through several

three years now current, from 1st June, 1888, to 1st June, 1891, in 116 classes alone the following quantities are estimated by the War Office as likely to become disused should the contract as hitherto be allowed to run out, namely, 13,890 forage capes; 173,940 tunics; 62,760 jackets; 58,530 pantaloons; 737,424 trousers; 513,630 frocks; 90,000 leather leggings; 239,550 great coats, cloaks, and capes; whether the clothing similarly sold in advance in 1885 included a similar number of articles, and whether it was all sold in one or at most two lots; and, if so, what was the amount realised by each; whether, if there were two contracts, both were given to the same firm; whether, in addition to any real competition being practically precluded by the magnitude of the contract, this enormous quantity of clothing was also sold on speculation, tenders being asked for and sent in in 1884, and the things tendered for being clothing which would only actually become disused during the long period of the three years subsequent to 1st June, 1885; whether neither the actual things sold themselves nor their condition being known to either vendor or purchaser at the time of contract a fair price is obtained, or adequate security taken that serviceable and even new clothing is not fraudulently disposed of as old or bad; whether, moreover, out of 350 classes of clothing specified in the War Office form of tender, some 230 have not even the quantity for sale even estimated by the War Office; and, whether he will use his right to terminate such an arrangement by giving six months' notice, and afford Volunteers, bands, and working men, who now buy these things at third or fourth hand, an opportunity of purchasing direct in their own localities and in small lots, and of purchasing not on speculation but articles already actually disused and capable of being inspected.

THE FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. BRODRICK, Surrey, Guildford): Accounts are made up to the 31st of March, and the sum realized for the three years to the 31st of March, 1888, was £136,205, including boots. The total classes to be disposed of are 354, of which Mr. Moses can claim 298 under his contract. The remainder refer to articles of value not exceeding 3d., which can be disposed of at the discretion of commanding

officers. The numbers of the several articles as estimated for sale are substantially as stated in the question. The sales in 1885 were in one contract. Every effort was made to secure competition, and the contract cannot be described as speculative, seeing that the condition of time-worn clothing is well known and every possible precaution is taken to get as much wear as possible out of the clothing before it is sold, commanding officers being held responsible that this condition is complied with. Special regulations have recently been issued on this subject to commanding officers which I shall be happy to show my hon. Friend. The quantities are not estimated for 136 of the classes, but the quantities are very small. My hon. Friend must remember that the special object of these transactions is to obtain for the benefit of the Army Estimates as large a sum of money as possible; and as I have reason to think that money would be lost to a considerable amount by terminating the present contract I am not prepared to take such a step. When, however, the question of a new contract has to be considered we shall call for tenders for one contract as now, and, as an alternative, for a divided contract, either by districts or in some other way.

STATE-AIDED EDUCATION IN THE PARISH OF LLANGAR.

MR. T. E. ELLIS: I beg to ask the Vice President of the Committee of Council on Education whether he is aware that the number of children of school age in the parish of Llangar, County of Merioneth, is 193; and that, although five-sixths of these are children of Nonconformists, the only State-aided school in the parish is owned and managed by the society for teaching the children of the poor in the principles of the Church of England, which, up to April 1887, was maintained by the voluntary rate; is he aware that, on 30th May 1887, 60 children of parents who refused to pay the voluntary rate were expelled from the school, and that, since June 1887, the average attendance at this school has been about 30; can he explain why the Education Department has refused to sanction the use of the only room in the village for a temporary school for the expelled children, or to allow the School Board elected in August

Mr. Hanbury

1887 to levy any rate for providing a new school; and, whether the Education Department has yet sanctioned the new school built by voluntary subscription, and according to plans submitted to, and approved by, the Department.

*THE VICE PRESIDENT OF THE COUNCIL FOR EDUCATION (Sir W. HART DYKE, Kent, Dartford): The facts as to elementary education in this parish are not accurately stated in the question. Sufficient accommodation is provided in the Cynwyd National School, which is in the parish, and in other schools in adjoining districts. Cynwyd National School is conducted as a public elementary school, in accordance with the provisions of the Elementary Education Act, 1870, and with the requirements of the code. The resolution of the managers under which certain children are excluded from Cynwyd National School on 30th May, 1877, was rescinded within a month of that date. The Education Department refuse to sanction the use of a room in Llangar for a temporary school on the ground that such room was quite unfit for the purpose. The refusal to sanction a loan for a new board school was the necessary consequence of the inability of the school board to prove that additional accommodation was required for the district. The Department have approved plans for the erection of a new school by voluntary effort; but, in accordance with their invariable practice, they cannot promise annual grants to such school until it is actually open under a certificated teacher.

MR. T. E. ELLIS: Is it correct that the average attendance at this school within the last two years has been about thirty, and even after deducting the twenty-four who go to other parishes because the school is sectarian, are there not 148 children to be provided for in this parish?

*SIR W. HART DYKE: What the Department has to deal with is the school accommodation in the district. From inquiries they have found that the accommodation is sufficient for the district. About the actual number attending this particular school I do not know.

MR. MUNDELLA: May I ask whether a public elementary school is not bound to receive children without any conditions?

*SIR W. HART DYKE: I have already stated that this resolution was passed and rescinded within a month.

MR. T. E. ELLIS: Is it not a fact that the only notification of the rescinding came from the Education Department itself seven months afterwards?

*SIR W. HART DYKE: According to my information the unfortunate resolution was rescinded within a month.

THE NEWFOUNDLAND FISHERIES.

MR. WILLIAM REDMOND: I beg to ask the Under Secretary of State for the Colonies whether any complaints have been made of French interference with the fisheries of Newfoundland; and, whether representations have been made to the Colonial Office on this subject by both Houses of the Newfoundland Legislature?

BARON DE WORMS: I answered that question on Tuesday.

THE SCOTCH EDUCATION CODE.

DR. CLARK: I wish to ask the Lord Advocate why the grant under Article 32 (a) has been withdrawn from Caithness and Sutherland?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): No grant is paid under Article 32 (a) of the Scotch Code, which, on the contrary, contains a limitation upon the possible amount of grant. I presume that the hon. Member's question relates to a minute of the Scotch Education Department which was submitted to Parliament removing that limitation so far as Caithness and Sutherland were concerned. The legality of that minute has been questioned by the Comptroller and Auditor-General, and all payments to schools in these counties in excess of the limit imposed by that article have accordingly been suspended until the opinion of the law officers has been obtained on the point.

THE DOG MUZZLE.

LORD H. BRUCE (Wilts, Chippenham): I wish to ask the Secretary of State for the Home Department whether he is aware that the German wire muzzle is being largely used in London in consequence of the order that all dogs are to be muzzled, and that this muzzle is exceedingly liable to slip, when it causes great pain to the dog; whether he

observed in the scare of 1887 that most of these wire muzzles did not fit; that some were so loose that they got jammed over the dogs' eyes, and that others were so tight that these dumb animals were prevented from either eating or lapping; and whether he will appoint a committee of sportsmen to investigate the matter?

MR. MATTHEWS: I am informed by the Commissioner of Police that he has no information whether the facts suggested by my noble Friend are accurate. He will, however, make inquiry. It would be beyond the province of Government to appoint a committee of sportsmen to do what every man, whether a sportsman or not, has a right under the Privy Council order to do for himself—namely, to select the form of muzzle which may best suit his dog, provided always that it is one which will prevent the dog from biting and will not interfere with its breathing or lapping water. There is nothing to prevent such an inquiry from being made by gentlemen acting in their private capacity, and I have no doubt that the public would gladly avail themselves of any suggestion they might offer if those suggestions are valuable.

COOLIE MARRIAGES IN TRINIDAD.

SIR ROBERT FOWLER (London): I beg to ask the Under Secretary of State for the Colonies whether Her Majesty's Government is aware that in Trinidad, in the case of numerous marriages between Coolie residents, celebrated according to the religious rites of the people, but for the validity of which it is necessary that they should be registered by the civil authorities, the registrars have refused or neglected thus to make them valid, and that in consequence much social disorder, often leading to crime, has resulted; and whether the Government will call for a Report on this subject, unless it is already sufficiently informed, and will in any case insist on a due observance of the law as regards Coolie marriages by the Local Authorities?

BARON H. DE WORMS: Her Majesty's Government is not aware that there has been any failure of the Local Authorities in Trinidad to observe the law relating to coolie marriages, but they will call for a Report on the subject.

Lord H. Bruce

NATIVE CULTIVATORS IN TRINIDAD.

SIR ROBERT FOWLER: I beg to ask the Under Secretary of State for the Colonies whether Her Majesty's Government is aware that in Trinidad it is the custom in the cocoa plantations for the Native Authorities to be engaged under six years' contracts, which entitle them to payment only at the end of the six years' when the trees have reached maturity, the payment then being for the number of trees that bear fruit, and that this arrangement resolves itself into a form of slavery, causing unnecessary hardship to the cultivators if they remain on the estates where they have taken service, and serious loss to them if they go elsewhere before their term of six years is concluded; and, whether the Government will call for a Report on the subject, and direct the introduction in the Trinidad Legislature of such proposals for a change in the law as will protect the native cultivators from extortion and injustice in this respect?

BARON H. DE WORMS: A custom has prevailed for many years in Trinidad for contracts to be made for the plantation of land with cocoa, in consideration of the contractor occupying the land for six years, and being paid by the owner at the end of the term a certain sum for every tree planted by him which is in full bearing. Complaints have been recently made that this system has, in some instances, caused hardship to the contractors; but it does not appear to be in any sense a form of slavery. A Bill to amend the law on the subject has been recently introduced in the Colonial Legislature with the approval of the Secretary of State.

GRANTS OF LAND IN WESTERN AUSTRALIA.

MR. CALEB WRIGHT (Lancashire, S.W., Leigh): I beg to ask the Under Secretary of State for the Colonies whether his attention has been called to an article in the *Daily News* of the 12th instant, which states that in "Western Australia 1,877,015 acres of land have been sold, the average price being 10s. per acre," and that "one man has leased 3,614,325 acres, and the payment of one of his lots of 1,000,000 acres for the year is £250, and for

another of 700,000 £170; whether he will inform the House on what terms those leases were granted, and whether individuals or companies are allowed to purchase unlimited quantities of land in the Colony; and, whether the mines and minerals are included in the land sold?

BARON H. DE WORMS: I have seen that article, and am not aware that it is incorrect. The official Report prefixed to the Parliamentary Paper [O—5753], lately circulated, gives the amount of land sold as 1,877,045 acres, generally at the price of 10s. per acre. With regard to the land leased—as the whole can be resumed whenever required for sale or any public purpose—it is a great advantage to the Colonial Revenue to receive for its temporary use the rents mentioned, which represent the full value of the land under the conditions of its tenure. The second paragraph of the question has been fully answered in my reply to hon. Member for Kirkcaldy. As regards the third paragraph, gold, silver, and precious metals are reserved to the Crown in the grants of land sold. See page 107 of [O—5743].

MR. CALEB WRIGHT: Are there any conditions on the granting of leases for the erection of homesteads on any part of the land?

BARON H. DE WORMS: All the conditions with regard to letting and sale of land are found fully set out in the paper to which I have referred.

HALFPENNY POSTCARDS.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Postmaster General whether it is the practice to charge the public for impressing halfpenny stamps on their own sheets of cardboard; whether the fee for doing this work was 1s. 6d. for every quire six months ago; whether the rate has now been raised to 2s. 6d.; whether the former rate defrayed the expenses of the work done; whether there is any objection to the public putting halfpenny stamps on their own postcards, as is the practice in France, Germany, and Italy; whether he is aware that no evidence beyond the mere statement of the Secretary of the Post Office was given before the Select Committee on the Revenue Estimates last year that there is a loss on the halfpenny postage business; and, whether he has any

documentary evidence to show there is a loss on the halfpenny postal business of the British Post Office?

***MR. RAIKES:** If the hon. Member will refer to the Reports of the answers to questions in this House he will find that my hon. Friend the Secretary of the Treasury, on the 9th inst., answered the first four of the questions which he has now addressed to me, and I beg to refer him to that answer. As regards question No. 5, that also has been answered by me on the 27th ult., and I would refer the hon. Member to that answer as well as to the answer which I have just given. As regards the remaining questions, I would remind the hon. Member that the Select Committee to which he alludes adopted the opinion that there is a loss on the halfpenny business of the Post Office, and embodied it in paragraph 34 of the draft Report which was passed unchallenged by the hon. Member himself, who sat on the Committee. I am not prepared to depart from that opinion, in which I also concurred.

THE METROPOLITAN POLICE REPORT.

MR. CUNINGHAME GRAHAM: I beg to ask the Secretary of State for the Home Department if it is by intention that the annual Reports of the Superintendents have been omitted from the Metropolitan Police Report this year?

MR. MATTHEWS: I am informed by the Commissioner that the omission of the Reports of the Superintendents from his annual Report was intentional, and under his orders. It appeared to the Commissioner desirable to omit these Reports, because they are merely the suggestions of subordinate officers, the printing of which involves considerable expense, while the Report should contain the conclusions of the Chief Commissioner himself, based upon all the information he receives, and issued on his responsibility.

THE WHITECHAPEL MURDERS.

MR. MONTAGU (Tower Hamlets, Whitechapel): I beg to ask the Secretary of State for the Home Department whether he will offer a substantial reward, accompanied by a free pardon, to anyone not in the police force and not the actual perpetrator of the recent

crime in Whitechapel who will give such information as will lead to the conviction of the murderer; and whether he will sufficiently increase the number of detectives so as to prevent, if possible, further atrocities in East London?

MR. MATTHEWS: I have consulted the Commissioner of Police, and he informs me that he has no reason to believe that the offer of a reward now would be productive of any good result, and he does not recommend any departure from the policy resolved on last year, and fully explained by me to the House. Since the occurrence of the outrages in the East End, a large number of men in plain clothes have been employed there, and I yesterday sanctioned an arrangement for still further increasing the number of detectives available for duty in Whitechapel.

SALE OF DISUSED ADMIRALTY STORES.

MR. HANBURY: I beg to ask the First Lord of the Admiralty why, at the periodical sales by auction of disused Admiralty stores at Deptford, "the garments sold are in many instances nearly new," and "in excellent condition," as stated by the Army Director of Contracts in a recent Departmental Report?

MR. FORWOOD: No garments are sold at the periodical auction sales of disused Admiralty stores that can be described as in many cases nearly new. All the articles are, before being offered at auction, carefully examined and condemned by a competent board of survey, and the auctioneers inform me none of them could be deemed as being in excellent condition.

THE GOVERNOR OF IPSWICH GAOL.

MR. PICKERSGILL: I beg to ask the Secretary of State for the Home Department by whom the Treasury Solicitor was directed to defend an action brought against the Governor of Ipswich Gaol in respect of indignities inflicted on an untried prisoner, in which action, at Suffolk Assizes on Friday last, the jury awarded the plaintiff £75 damages; and, what is the total amount which will have to be paid out of public money in respect of this action?

MR. MATTHEWS: The Treasury Solicitor was directed to defend this

action by me on the recommendation of the Prison Commissioners in accordance with the usual practice when an action is brought against a public servant for acts done in the execution of his office. The question whether any public money will be paid in respect of this action depends upon the decision which the Treasury may come to, upon the advice of the Home Office, after considering the evidence and all the circumstances of the case.

CIVIL SERVICE WRITERS.

MR. TUIITE (Westmeath, N.): I beg to ask the Secretary to the Treasury what is the exact number of Civil Service writers who were registered prior to the 12th February, 1876, at present on the register of the Civil Service Commission?

MR. JACKSON: The hon. Member has, I think, forgotten that this question appeared in the hon. Member's name on the 20th May last, and was then answered.

NATURALIZED BRITISH SUBJECTS.

SIR WILLIAM HOULDSWORTH (Manchester, N.W.): I beg to ask Mr. Attorney General if it is the case that, while a British subject can hold landed property in Gibraltar, a naturalized British subject, if naturalized in the United Kingdom, is debarred from this privilege; and, if so, whether there is any good reason for the distinction?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): In Gibraltar and many other Colonies aliens are precluded by the local law from holding land, and they are not relieved from this desirability by being naturalized in the United Kingdom. There are in many cases good reasons why this distinction should be maintained.

TRANSFERRED DISTRICTS IN WALES.

SIR JOSEPH BAILEY (Hereford): I beg to ask Mr. Attorney General, with reference to portions of the parishes of Llangattock and Llangunnidr which have been hitherto within the geographical county of Brecknock, but which, under Section 50 of the "The Local Government Act, 1888," have been transferred to the administrative County of Monmouth as being within the urban sanitary districts of Ebbw Vale, Rhym-

Mr. Montagu

ney, and Tredegar, in that county, and which in consequence have been since April last under the care of the Monmouthshire police, whether for the purposes of magisterial jurisdiction these districts so transferred are still to be considered as forming part of the petty sessional division of Brynmawr, to which they formerly belonged, in the County of Brecknock, or whether they have now become part of the petty sessional division to which they are adjacent in the County of Monmouth?

SIR R. WEBSTER: I am informed that prior to the passing of the Local Government Act, 1888, the urban sanitary districts referred to were situate in more than one county, and that as the larger part of the population of each was in the County of Monmouth, under the provisions of Sections 50 (2) and 59 (2) of the Act of 1888, the whole of each district became part of the County of Monmouth for the purposes of the Act. There is nothing in the Act as I read it to annex them to any particular petty sessional division, but as it is desirable that this should be done as soon as possible, the justices can make arrangements under 9 George IV., c. 43, 6 and 7 William IV., c. 121, and 22 and 23 Vict, c. 65.

BUSINESS OF THE HOUSE.

MR. H. J. WILSON (York, W. R., Holmfirth): I beg to ask the First Lord of the Treasury whether he can state when the remaining Votes in Class II. will be taken.

THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I am not in a position to say when these Votes will be taken; but there is an understanding that due notice will be given for those interested in the discussion of them.

MR. SEXTON: I would ask whether the right hon. Gentleman has considered the inconvenience that will be caused to Irish Members if the Votes are put off until the far end of the Session.

*MR. W. H. SMITH: We have no wish to do that; but I cannot now state on what day they will be taken next week.

BURGH POLICE AND HEALTH (SCOTLAND) BILL.

MR. ESSLEMONT (Aberdeen, E.): I wish to ask the First Lord of the

Treasury whether the Government intend to re-introduce the Burgh Police and Health (Scotland) Bill next Session; and if so, whether they have any intention to proceed with it as a Government measure?

*MR. W. H. SMITH: I cannot enter into engagements for next Session.

MR. ESSLEMONT: The right hon. Gentleman has made several statements about the Bill this Session and last.

*MR. W. H. SMITH: If I have done so, it is a sufficient reason for not doing so again.

THE COMMITTEE ON ROYAL GRANTS.

MR. J. E. ELLIS: I beg to ask the First Lord of the Treasury whether the report of the proceedings of the Select Committee on Royal Grants in the *Times* of yesterday was authorized and accurate; and, if not, whether, in view of the inconvenience arising from these surreptitious disclosures, care will be taken that an authorized and accurate record of the proceedings of the Committee is preserved and laid before the House with the Report?

*MR. W. H. SMITH: The hon. Gentleman must be quite aware that the Report he refers to is not authorized, and cannot be accurate. I regret that a report of the proceedings of a Committee, to which the Press are not admitted, should by any accident in any way get into the newspapers. It is obvious that no authority whatever can be attached to such a report. As to the proceedings of the Committee, the usual course will be followed. The Committee will decide on the Report which they desire to present to the House, but there is no precedent whatever for a record of the proceedings of the Committee being given to the House. And it would be an exceedingly inconvenient course if any departure from precedent were made in the publication of the Report of this Committee or any other. I believe that it is of the greatest importance that hon. Members in Committees should be able to express their opinions with perfect freedom and confidence, such as has hitherto prevailed in Committees of this House.

MR. J. E. ELLIS: When may we expect the Report of the Committee?

*MR. W. H. SMITH: The Committee has not yet completed its deliberations, but I hope it may finish its labours to-

MR. MATTHEWS: I must ask the hon. Gentleman to give notice of the question.

THE CONSIDERATION OF THE REPORT OF THE ROYAL GRANTS COMMITTEE.

MR. STOREY: Is the programme the right hon. Gentleman the First Lord of the Treasury mapped out subject to the consideration of the Report of the Committee on Royal Grants, or does the right hon. Gentleman mean to take the consideration of the measures he has named first?

*MR. W. H. SMITH: The Report of the Committee and the action the House may take on it will undoubtedly have precedence over other business.

MR. HUNTER (Aberdeen, N.): Is the right hon. Gentleman not aware that a considerable number of Scottish Members have made arrangements to leave London to-morrow to take part in an interesting ceremony in Edinburgh? In those circumstances, and in order to prevent the greatest possible inconvenience to Members on this side of the House, will the right hon. Gentleman consider the propriety of not taking the Universities Bill as the first Order on Monday, especially as it ought not to be impossible on that day to take both the Universities Bill and the Local Government Bill?

*MR. W. H. SMITH: I think it would be necessary to take the Local Government Bill on Monday; but I accept the suggestion of the hon. Member, that there appears to be a prospect of the early disposal of those two important measures; and, therefore, to meet the convenience of Scottish Members, the Universities Bill will be placed second on Monday.

*MR. CHILDERS: What are the intentions of the Government with respect to the Sugar Convention Bill?

*MR. W. H. SMITH: I have already stated that I do not think it necessary to make arrangements at this period of the Session in order to give time before 12 o'clock for the Sugar Convention Bill. But if the right hon. Gentleman and his Friends think it necessary that any discussion should take place on the Motion that the Order be discharged, I will postpone the Bill to a future day.

MR. CAMPBELL-BANNERMAN: Will Supply be the first Order for to-morrow?

*MR. W. H. SMITH: There are several Orders on the Paper which the Government are anxious to advance. For instance, there are the Factors Bill, the Light Railways (Ireland) Bill, Lunacy Acts (Amendment) Bill, Coinage (Light Gold) Bill, and one or two other measures which ought to take precedence.

MR. STOREY: Is the Light Railways (Ireland) Bill now to take precedence of the Drainage Bills?

MR. A. J. BALFOUR: Yes, Sir.

SIR R. LETHBRIDGE: When does the right hon. Gentleman propose to take the Council of India Bill which has been placed on the Paper for this evening?

*MR. W. H. SMITH: I hope it may be possible to take the Bill either to-night or to-morrow.

MR. SEXTON: Have the Government got rid of all desire to advance the Merchant Shipping (Tonnage) Bill?

*MR. W. H. SMITH: Certainly not.

MR. T. E. ELLIS: Will the right hon. Gentleman allow the Committee to make further Progress with the Welsh Education Bill to-night?

*MR. W. H. SMITH: I hope we may be able to do so.

MR. BRADLAUGH: Will the Under Secretary for India consent to give the Return I propose to move for in reference to distress in East India, Patna, &c., as an unopposed Return?

SIR J. GORST: I am sorry that I cannot undertake to give the Return asked for; but in the Recess I will obtain full information from India, and lay it on the Table next Session.

MR. J. E. ELLIS: When may we expect the Report of the Royal Grants Committee?

*MR. W. H. SMITH: The Committee has not yet completed its deliberations; but I hope it may finish its labours to-morrow. In that case the Report will be brought up to-morrow and considered on Monday.

MESSAGE FROM THE LORDS.

That they have passed a Bill, intituled "An Act to enable Her Majesty to assent to a Bill for conferring a Constitution on Western Australia." [Western Australia Constitution Bill [*Lords*].

MOTION.**POOR LAW BILL.**

On Motion of Mr. Ritchie, Bill to amend the Law respecting children in workhouses, and respecting the borrowing of Money by Guardians and Managers of District Schools, and respecting the Managers of the Metropolitan Asylum District, ordered to be brought in by Mr. Ritchie and Mr. Long.

Bill presented, and read first time. [Bill 338.]

REVENUE [ALLOWANCES AND STAMP DUTY].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to impose, by way of composition, a Stamp Duty, at the rate of Five Pounds per centum, upon the premiums on policies of insurance against accident under the provisions of the said Act.

Resolution to be reported To-morrow.

ORDERS OF THE DAY.**TITHE RENT-CHARGE RECOVERY BILL (No. 272.)****SECOND READING.**

Order for Second Reading read.

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): In moving the Second Reading of this Bill, I do not think it will be necessary to detain the House with any lengthened remarks. It is, in reality, a small measure, but notwithstanding this the Government hope it will prove to be a useful one. During the present Session, time is wanting to introduce and carry through the House a measure of a large and far-reaching character; and therefore the Government on consideration have determined to attempt to pass this small Bill, which they are very sensible is not one which can be regarded as dealing with the whole of the tithe question. The measure deals with a single point, not unimportant in itself, in regard to the means and method of recovery of tithe rent-charge. Until 1836 the mode of recovery of tithe in arrears was by judicial process. A person might, either by suit in the Ecclesiastical Court, or by suit in a Court of Equity, recover any arrears of tithe. But after the Tithe Commutation Act was passed the only remedy left for the

recovery of new tithe rent-charge was the remedy by distress. Whatever may be said for that remedy there is this broad objection to it—it is the act of a party only. By his own personally selected agent the party proceeds to recover rent-charge by the machinery of distress. Such a proceeding as that has necessarily led to some personal conflict between the tithe owner and the tithe-payer. It has involved in the late painful circumstances in Wales the employment at no small expense of what some hon. Members called emergency men, engaged by the tithe owner himself, chosen by himself, and employed by him to make seizure on goods. In the view of the Government that is a somewhat antiquated remedy which is certainly likely to lead to breaches of the peace and to personal conflicts between the parties. It is a remedy which is peculiarly distasteful to a large class of tithe owners—namely, those parochial clergy with whom it is a question not only of importance, but almost of professional duty, to be on friendly terms with their parishioners. It appears to the Government, therefore, that it would be better on all grounds that instead of this remedy by the act of a party there should be remedy by judicial decision. It is better that the tithe owner himself should not be judge in his own case, and be put to the assertion of his rights without any judicial decision. It is better in the public interest also that the payment of tithe should be enforced, as all other taxes are enforced—by the judgment and action of a Court. The Act effects nothing else than this. The liabilities of owners and occupiers are not disturbed in the least by the Bill. The limit of two years, as the period within which recovery must be made, is retained; and exactly the same property will be liable for seizure as before. Nothing in the Act will alter the priority of any tithe rent-charge in relation to any other charges upon lands, or alter the liability of any occupier or owner of lands as between themselves; and every occupier will have the same right of deducting from the rent payable by him the amount levied on an execution in pursuance of this Act as he would have if the amount had been levied by distress. The only change made is the substitution of the judicial process for the action of the party. The

hon. Member for the Saffron Walden Division (Mr. Herbert Gardner) has an Amendment on the Paper for the rejection of the Bill, and I would point out to him that, as I have said, the Government do not consider this a complete measure. With regard to the other hon. Members who have given notice to move the rejection of the Bill, I will wait until they have stated their objections before I deal with them. I wish, however, to make an appeal to the hon. Member for Swansea (Mr. Dillwyn), who has given notice of an Amendment to the effect—

“That no measure dealing with the recovery of tithes in Wales will be satisfactory which does not recognize the devotion of that impost to purposes generally acceptable to the Welsh people.”

For the sake of argument I will assume that the hon. Member is perfectly right in his view that it would be more acceptable if tithe were diverted from the purposes to which it has been applied for many centuries; but surely the hon. Gentleman must feel that his Amendment is totally irrelevant to the measure, which does not profess to affect the disposal of tithe at all, but deals with the simple question of making more rational and less arbitrary the manner in which tithe is collected. Assuming that tithe may be devoted to other purposes, a good, a safe, and a rational mode of recovering it now would be equally good and safe and rational in the future. I trust, therefore, interesting as the subject-matter of the Amendment may be, and relevant as it may be when another measure is before the House, that the question will not be discussed at length on the present occasion. As far as I can ascertain from Returns which have been placed in my hands, the amount of tithe for the whole of Wales is £274,490; of that sum no less than £61,168 belongs to lay improPRIATORS. That is their private property, and it deserves the protection of the law as much as any other private property. Then £8,159 belongs to schools and colleges; £137,500 to parochial endowments; and to clerical improPRIATORS, that is to the Ecclesiastical Commission, £67,600. Out of the recipients of tithe no less than £70,000 in round figures goes entirely for the purposes of education and national improvement and to private persons

who have bought their tithes for hard cash and are entitled to have their property protected. As to parochial incumbents, I have received letters from Welsh clergymen which will be of interest to many Members. Clergymen, because they are unwilling to enter into personal conflict with their parishioners, have seen themselves deprived of small and very often inadequate incomes, and their letters indicate a most lamentable condition of things. Their children are deprived of the means of education, and they themselves are stinted of the very necessities of life owing to the unhappy differences which prevail in Wales. It is very difficult for a clergyman who desires to remain on a footing of friendly relations with his parishioners to assert by his own act the rights which the law gives him; and I hope that the Bill will confer some benefit upon this class, as well as upon other tithe-owners. I beg now to move the Second Reading of the Bill.

Motion made, and Question proposed, “That the Bill be now read a second time.”

*MR. H. GARDNER (Essex, Saffron Walden): I think we have some right to complain of the speech of the Home Secretary. The right hon. Gentleman has tried to show that the Bill is a small and insignificant one; but it is certainly, as the House will probably see, neither small nor insignificant. We have also some right to complain of the Government for the manner in which this Bill has been brought forward. If common rumour is to be believed it would appear that the Government merely wish to take the sense of the House upon the Second Reading. If that is their intention and they are going to wilfully waste the time of the House at a period of the Session when time is all-important, if they contemplate sacrificing this evening to a merely academic and sterile discussion, I hope we shall hear no more charges of obstruction hurled at our heads either in this House or on platforms out of doors by right hon. Gentlemen who are directly responsible for the present loss of time. The opponents of the Tithe Bill may be divided into several classes. First of all, there is a large and increasing number who object to tithe on the ground that they wished to have a free Church,

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who wish for what I may call free trade in religion, and who believe that protection in Church as in commercial matters may materially increase the cost with heightening the intrinsic value of the article; who maintain that it is inconsistent, if not unjust, to ask the majority to pay for the Church of the minority, a Church, moreover, whose services they do not accept, and whose spiritual comforts they pay for but do not enjoy. There is a second class, who think that the tithes have been very much diverted from their original intention, which was to contribute something to education to assist the poor, and might, therefore, well be applied at the present day to relieve the increasing burdenson land. And there is a third class of opponents of tithe, on whose behalf I venture very humbly to speak, who look upon the question mainly from an agricultural point of view. They maintain that there has been a vast and unforeseen change in agriculture since the passing of the Tithe Commutation Act, 1836. They refer to the fact that land is actually passing out of cultivation because it is not able to pay the tithe levied upon it. Nor could it ever have been anticipated that the tithe rent-charge would amount to something like 50 per cent of the value of the land. I do not think they ever foresaw the poverty which has fallen upon the wheat-growing counties of this country. Norfolk, Suffolk, and Essex, roughly speaking, pay tithe rent-charge to the amount of something like £700,000 per annum—the whole charge being about £4,000,000. Therefore, these counties are paying at the present moment nearly one-fifth of the whole charge in this country. These counties, at the time this burden was put upon them, were the richest in the whole kingdom, because they produced the greatest amount of wheat in the country; but at the present moment they are suffering more severely than any other from agricultural depression. Now, what is the attitude of the Government in this matter? In the earlier measures which they have brought forward, they seemed to recognize that there was some kind of grievance on the part of the tithe payer, who was the occupier, because they brought before the Houses of Parliament a Bill in which they proposed that the incidence of

the tithe should be transferred from the occupier to the owner. That Bill has been dropped. They hinted, moreover, something about a redemption of the tithe, which seemed to be a sort of recognition of some claim on the part of the tithe payer. But the Government's interest in the tithe payer seems to have gone smaller by degrees, and beautifully less, until the Bill, which they now present to the House, is neither more nor less than one conceived entirely in the interest of the tithe owner, and of no one else. I shall ask the House to reject this Bill for four reasons. First, because it is no use dealing with a question of this sort by peddling legislation; if you touch it at all, you must bring in a large and complete measure. Secondly, I object to this small and inoffensive Bill (as the Home Secretary would call it), because it goes behind the compact of the Tithe Commutation Act of 1836, in the interest of one party—namely, the tithe owner. Thirdly, I object to this Bill, because it is so vaguely drawn in some of its most important provisions, that it would no doubt lead to confusion among the County Court Judges when they come to decide cases arising under it. Fourthly—and this is a most important point—I object to the Bill, because it for the first time introduces, for the benefit of the tithe owner, a system of fine and imprisonment against the tithe payer. I think hon. Gentlemen on both sides of the House will agree with me that these objections to the Bill are sufficient. When I first had the honour to represent my present constituency, my constituents and those living in the same part of England as I do, took this subject up, and pressed it upon me. I attended a deputation to the Prime Minister at the Foreign Office with regard to the original Bills which were brought forward by the Government. The Marquess of Salisbury, in reply, remarked upon the great intricacies of the question, and admitted then how very difficult it was for anyone to understand it. The remarks which the noble Marquess subsequently made proved to me and several Members present that the most eminent and distinguished of statesmen find it difficult to grasp even the elementary difficulties of this question. My own constituents pressed upon me the desirability of bringing

forward some Motion with regard to the readjustment of the tithe question; but, entertaining as I do a strong opinion on the difficulties of the question, I pressed the Government two years ago, and on several occasions, to grant a Commission to inquire into this matter; and had they listened to what was then said, the Government might now have been in possession of valuable evidence, which would have been most material in respect of the Measure which is adumbrated by the Home Secretary to-night. I think it is to be regretted that the Government did not see their way to granting such a Commission, but what was their reason for refusing it? All who take an interest in this subject have heard it maintained in private and on the platform that no inquiry could be made into this subject because the Tithe Commutation Act of 1836 was a "sacred covenant" for all time, and to attempt to go behind which would be dishonest, and that was the reason I was refused the Commission for which I asked. I do not know whether that is the opinion of the Government now; but if that be their opinion, I want to know on what possible principle they can justify the production of this Bill. If it is illegal and unjust to go behind this compact under the Tithe Commutation Act of 1836 in the interests of the tithe-payer, surely it is equally illegal and unjust and against principle to go behind this "sacred covenant" of 1836 in the interests of the tithe-owner, as you propose to do by this Bill. With regard to my second objection, I object to this Bill because it is so vaguely drawn that I have not the slightest doubt when it comes before the various County Court Judges, there will possibly be as many decisions as there are Judges in the kingdom. I would ask the attention of the House to Section 2 of Clause 1, by which the tithe-owner, if he obtains judgment, may have it executed against all personal property. I maintain that that clause is capable of two interpretations. The right hon. Gentleman the Home Secretary is aware that the distress for tithe can only be levied under Section 85 of the Tithe Commutation Act, 1836, upon the land on which the tithe is charged, and on no other land. The right hon. Gentleman also knows that in those parts of the country where what is called "Field ap-

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portionment" exists, the tithe can only be levied on the particular field apportioned in respect of which the tithe is charged. I maintain that there is no right of distress on personal property, which is a very different thing from property distrainable under the Commutation Act. It may be that in one county, the County Court Judge will decide that you can distress on personal property, and in another county the Judge might decide that you can only distress on what is distrainable under the Tithe Commutation Act. I consider this a very serious blot upon the Bill, and if it become law and comes before the County Court Judges, must cause serious inconvenience. My fourth is, perhaps, one of the most serious objections to the Bill. It appears to me that if the Bill became law, the tithe-owner might inflict, or threaten to inflict, a very heavy fine upon the tithe-payer. Under the Commutation Act if the tithe is not paid within 21 days, the tithe owner may issue the statutory ten days' notice to the tithe-payer, and if it is not then paid, he may levy a distress upon the land which is subject to the tithe in dispute. Now, the costs are exactly 2s. 6d., no matter how much the tithe is. But by this Bill the costs of recovering before the County Court is rather a serious matter. There is the judgment summons, the County Court fees, the solicitor's fees, and it may turn out that for a debt of £20 or upwards the costs will amount to £10 or £12. That does not seem to me a very small matter, but it is not the worst consequence of this power. As I understand, the Bill is merely permissive, and therefore the tithe owner has two alternatives. He may proceed under the present Act or under this Bill. In connection with this subject of tithe, there are inconvenient meetings held after the distress has been levied, in which political doctrines are brought forward, and which are obnoxious to the authorities, and lead sometimes to disturbances which I am sure we all very much regret. But if this Bill were passed, the tithe owner can go to the tithe payer, and say, "You can have your distress levied for half-a-crown, but if you insist on having a meeting, I shall go the County Court and fine you £10 or £12." I do not think that is such an innocent and insignificant measure as the Home Secretary supposes. On the contrary, I think it a most dangerous one, which

my hon. Friends from Wales will do well to take notice of. I really should not be surprised if my hon. Friends regarded this Bill as a sort of Coercion Bill for Wales. Then for the first time we have imprisonment introduced as a penalty on the tithe payer. Under the Commutation Act, recovery is *ad rem*; under this Bill it is *ad personam*—one meaning a recovery on the man's goods, and another a recovery on his person. Supposing a man has the means to pay, but does not choose to do so because of conscientious motives; by an order of the County Court that man may be imprisoned for six weeks. That, I think, is a very startling innovation to bring forward in what is supposed to be a small Bill. I think the House will admit that I have made out my indictment against this Bill. First, I have demonstrated that it is partial and incomplete, and lopsided. It breaks the contract or "sacred covenant" of 1836, in the interest of the tithe owner, and the tithe owner only. Secondly, I have shown that the Bill is inartistically drafted, and that it must inevitably lead to confusion when it has to be interpreted by the County Court Judges. Thirdly, I have shown that there are very serious innovations introduced, such as fine and imprisonment, and that you have given the tithe owner opportunity to intimidate and coerce the tithe payer with regard to his political and other opinions. I contend that, if I have proved one of these propositions, I have made out a strong case for the rejection of this Bill. And I go further. I maintain that I have proved every one of them. In a conversation the other day between the Front Benches, my right hon. Friend the Leader of the Opposition said he was anxious for a settlement of this question. I am sure no one is more anxious than I am for a settlement; but this Bill, incomplete and unjust as it is, is in no way a settlement, but rather a further unsettlement of this most difficult and intricate question. What do the Government propose to do? They have refused the tithe payer even the contemplation of the Commission which I asked for two years ago, yet they come down to this House with an innocent little measure which goes behind the Act of 1836, in the interest of the tithe owner, and the tithe owner only. I cannot but think this will be unsatisfactory to every

tithe payer in the kingdom, but the consequences to Wales—against which country this Act is specially directed—may be even more serious. In Wales there are gentlemen who rightly, or wrongly, conscientiously object to pay the tithe; and if this Bill is passed, I cannot but fear there may be consequences in the Principality which will not only be disadvantageous, but even disastrous to the best principles of order and the best principles of law. It is for these reasons I ask the House to reject the Bill, and should the Government persevere, I shall deem it my duty to oppose it at every stage. I move "That the Bill be read this day three months."

MR. DILLWYN (Swansea): Mr. Speaker, I rise to second the proposition of my hon. Friend, who has so ably and lucidly put the question before the House that I need not address it at any great length. I am very glad indeed to see a gentleman connected with English tithes state his objection to this most objectionable measure—specially objectionable to Wales. Tithes were originally a voluntary impost; by degrees the Church has, more and more, laid her grasp upon them; and the Home Secretary by this Bill proposes an arbitrary and easy mode for collecting this impost, which is felt to be oppressive in England and still more so in Wales. It is an easy and arbitrary measure in the interests of the tithe owner only. It enables him, by a short and easy process, to recover by fine—a process rendered more objectionable in Wales by the employment of soldiery and police to assist in the collection. It has been found so very objectionable as to lead the people of Wales to the conclusion that this cannot go on much longer. My right hon. Friend has alluded to the Welsh objections to the payment of the tithes, and he has frankly admitted that the Bill is really directed at the Welsh tithe-payers. Of course, this is due to the fact that in England the payment of the tithes has not been enforced with so much vigour as in Wales; neither has the resistance been so strong. Now, the Welsh objection to these tithes is very great, and it arises not so much from an unwillingness to pay a fair and legal impost as from the feeling that this is an unfair and illegal tax. The object of an impost is that a Government

should have power to put its hands into the pockets of the ratepayers, and in return that there should be a *quid pro quo*—that some benefit should be conferred on the payers of the impost. But the Welsh people feel that no benefit is conferred upon them out of this tithe. They do not belong to the Church for the benefit of which the tithes are collected. They would willingly pay the impost if it was for their own interest. Hon. Members opposite laugh when I use the words “their own interest.” Let me explain that the Welsh would have no objection to paying the impost were the proceeds spent on the education of the people. But they do not hold that it is to their own interest when the money is spent in maintaining a Church to which they do not belong, and which they do not attend. It has been said that the Church is gaining strength in Wales. I should like to refer hon. Members to an election which took place only yesterday. That does not look as if the Church were gaining strength. No doubt the election was fought very much on the Irish question, but the Church question was also raised in connection with it, and the overwhelming majority accorded to one candidate showed, at any rate, that the Welsh people have not altered in their dislike to the Church. I beg to second the Amendment.

Amendment proposed, to leave out the word “now,” and at the end of the Question to add the words “upon this day three months.” — (*Mr. Herbert Gardner.*)

Question proposed, “That the word ‘now’ stand part of the Question.”

*MR. SWETENHAM (Carnarvon, &c.): I have risen at the earliest possible moment in this debate to say a few words in reply to the objections which have been urged by hon. Members opposite against this Bill. In some remarks I agree with the hon. Member for Saffron Walden. I confess I could have wished that a considerably larger measure had been brought forward. I feel that the Government have been in labour for somewhere about three long years, and have succeeded in bringing forth a mouse. But, at the same time, that mouse is a little animal deserving, at the present time, of very great care indeed, and it

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shall be my care to try and bring it to maturity, so as to make it a useful animal, not only in England, but also in Wales. Now, I quite agree with hon. Friends sitting on this side of the House, who hold the opinion that this question ought to have been dealt with in a much larger and more comprehensive manner. Still, I feel that this measure is only an instalment, of which more is to come; and I believe that if the Government upon this present occasion find themselves supported, as I am sure they will be, by all those who are the advocates of honour and justice, they will in turn, as soon as possible, bring forward a measure which will deal with such questions of burning importance as those relating to the redemption of the tithe—as to whether the averages shall be taken as now Septennially, or every three years, and as to whether or not there shall be some measure for the adjustment of tithe so as to make its incidence comparatively equal, instead of uncertain as at present. For instance, in Wales on some of the best lands the charge is only 6d. per acre, while it is as much as 8s. or 9s. per acre on some of the most impoverished lands. These are questions with which, on a future occasion, we hope to deal. What we have to deal with now is the present Bill. The hon. Member for Swansea, who has just spoken, has alluded to the soldiery and police who have, most unfortunately, frequently had to be imported into the Welsh parishes for the purpose of collecting the tithes. No one regrets that more than I do. No one has seen much more of the effects of that than I have; and it is in consequence of these proceedings, which ought never to have been allowed to be introduced into the tithe question—it is in consequence of them, that we are obliged to ask the Government to bring forward a measure of this nature. The hon. Member also told us that the real objection to the tithes was that in Wales the persons who paid them frequently did not belong to the Church to which the tithe is paid. In some cases, no doubt, it is so; but you must recollect that the tithe was left originally to the Church to which the payers may belong if they choose—it was left as an endowment to that Church—and you have no more right to take away that endowment than

you have to rob a merchant of that which is justly his due. The hon. Member for Saffron Walden made use of words practically to the same effect. He said that the tithes were being used to provide for the church of the minority. He also said the Welsh people wanted a Free Church. Yes, Sir; a Free Church is a nice sounding term, but there is an antithesis of that. It carries with it a suggestion that you are to despoil the existing Church, and I say you have no more right to despoil a Church of that which is justly its due than you have to rob a person of that which is justly his. If I remember aright, the heathen Town Clerk of Ephesus placed robbers of Churches in the same category as blasphemers. You may depend upon it that no Church will ever prosper if it is to be built up on that which is robbed from other people. And now as to the hon. Member's contention that the tithes are being used to provide for the Church of the minority. I do not know why he should say that, because, so far as England is concerned, most unquestionably, taking one particular denomination and comparing it with the Church of England, the latter Church, instead of being in a minority, is in a large majority, and I believe in an increasing majority. I trust it will ever remain an increasing majority. I have the very greatest sympathy with Nonconformists; there are many of them whom I respect in the very highest degree—many of them whom I can work with most sympathetically. They do an immensity of good in the country. But there are, unfortunately, Nonconformists and Nonconformists. I will tell you what I mean. I mean that there are political Nonconformists—preachers who edit newspapers, and who try to keep—and, I fear, effectually succeed in keeping—back religion and everything else that is sacred. Now, the hon. Member said that the tithe had been diverted by the Church from its original purpose; and that, at the outset, the tithes were devoted to education and the relief of the poor. I should like to know what research the hon. Member has made. Where has he found any authority, that is worth one penny piece, for such a doctrine? I maintain that nowhere can he find in any place deserving of consideration

any proof that the tithe was originally given for educational purposes, or that it was intended to be absolutely or directly devoted to the relief of the poor. Unquestionably it was so spent before the Poor Laws gave us a system of relieving the poor by the law, for until that time the clergy who received these tithes were almost the only persons who had the charge of the poor, and they, of course with the assistance of their richer neighbours, practically educated them and relieved their necessities. But it is only in that way that the tithe was ever devoted to the relief of the poor, or to the purposes of education. Therefore, you are not in any way by this Bill diverting these tithes from the purposes for which they were originally given. Now, there was another observation made by the hon. Member, and I wish to see how far I agree and how far I disagree with him. He made allusion to the agricultural changes that have been taking place since 1836. I know very well that there have been great changes. I know very well how, in some of the counties to which he has alluded, the land produces scarcely sufficient to supply the tithe. But there are greater anomalies which he did not refer to. I mentioned just now that in Wales, at the present time, some very excellent meadow land pays only 6d., 1s., or 2s. per acre, while land which is very poor indeed has to pay 8s. or 9s. per acre. I will tell you how that arises. When the Enclosure Act was passed a lot of new land, of virgin soil, was brought into cultivation; the farmer immediately plunged his plough into it, and it produced excellent crops of corn. When the Tithe Commutation Act was passed, this land was treated as being capable of continuing to produce these abundant crops, and a heavy tithe was put upon it, while the meadow land, which, as a fact, was better and richer, but which did not grow corn, practically came off scot free. What was the result? When wheat began to get so exceedingly cheap, the higher lands—to which the cartage of manure was difficult and expensive—were thrown out of corn cultivation in an impoverished condition. Now these are matters which must, in course of time, be looked into. I agree in that with the hon. Gentleman who moved the Amendment. But let us see what is his real

course." But this question of tithe is eminently one which has two sides to it. As my hon. Friend the Member for Saffron Walden (Mr. H. Gardner), in his extremely clear and able speech, showed to the House, when the arrangement of 1836 was made the prices of agricultural produce were very nearly as low as they are now, and that, too, under the highest system of Protection.

*MR. SWETENHAM: Not wheat on the Septennial valuation.

SIR W. HARCOURT: Yes, wheat. I venture to say you will find wheat in 1835 was below 40s. I remember very well Mr. Henry, a respected Member of this House, telling me that in 1835 a large number of farms in Oxfordshire went out of cultivation, because they could not pay the rates. The Reports of agricultural distress at that time show that there were quite as loud complaints as now in reference to the condition of agriculture. For a good many years after the Tithe Commutation Act was passed the Church had immense advantages, because the average price was very much above par for many years. But the case does not depend upon that question. It depends upon whether you are going to touch the settlement of 1836. My hon. Friend (Mr. H. Gardner) has said quite truly that if you are going to touch the settlement of 1836 you cannot touch it on one side and leave the other side undealt with. If the tithe owner has complaints to make so has the tithe payer, and the Government have no right to deal with the question by considering the interests of one party and not those of the other party. The poor clergy are not the only tithe owners. A great portion of the tithes in this country are in the hands of rich laymen, and the persons fortunate enough to become representatives of the despoiled monasteries of the time of Henry VIII. The principal revenues of Trinity College, Cambridge, are derived from tithe. Speaking of monasteries reminds me of another remark of the hon. Member. He says that a church cannot be prosperous that is founded on spoliation of other denominations. Whether spoliation of other denominations forms that sound foundation of the Established Church of this country which the hon. Member advocates I do not know; but I thought his remark was a little argu-

ment for such Friends of his as the hon. Member for Loughborough (Mr. De Lisle). Well, now the real question is, is it a fair way of dealing with the tithe question to deal with it in this piecemeal manner in the interest of one side alone? I think it is not. It is said that the tithe is due, and that this Bill only provides a cumulative remedy. But what right have the Government to give this cumulative remedy? What has taken place to alter the situation as provided in the remedies set forth in the contract of 1836? It is absurd to say that the cumulative remedy is not altering the situation, because the Government are giving to one party a remedy which it does not possess without considering the situation of the other party at all. It is unfair to deal with the question in this one-sided manner. If we are to have a remedy of this kind we ought to have done away with distress altogether, because the operation of distraint is always an odious operation, which belongs to ancient and feudal rather than to modern times. My objection is that you have no right to attack or to change the settlement of 1836 without reviewing the interests of both parties to the transaction, and it is upon that ground I shall vote against the Second Reading of the Bill.

*THE PRESIDENT OF THE BOARD OF TRADE (Sir M. HICKS BEACH, Bristol, W.): The right hon. Gentleman has entirely ignored the special circumstances which, in the opinion of the Government, rendered it necessary, in the interests of the public peace and order, and for the proper execution of the law, that some measure such as we now propose should be brought under the consideration of Parliament. No one who listened to his speech would suppose that the right hon. Gentleman has the slightest knowledge of those painful circumstances which have arisen in connection with the collection of tithe in Wales; of the resistance which has been offered to the bailiffs employed to carry out the distraints; of the breaches of the peace in cases where, I venture to say, nothing whatever could be pleaded as to the incapacity of the tithe payer to pay tithe legally due. This state of things the Government thought it impossible to allow to continue without an attempt to find a remedy. I admit that the measure does not effect a complete

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settlement of the tithe question; but it is an important measure from the point of view of the protection of those whose rights the law ought to be able to protect. This is not a question of large tithe owners dealing with small tithe payers. The real difficulty, the terrible part of the question, is the position of many a poor clergyman of a parish, who is dependent solely on his tithes for his maintenance, and is unable to go to the expense which a distraint necessarily involves in order to collect tithes from those who are able to pay them and who are bound by law to pay them, but who decline to pay them for reasons stated in the speech of the hon. Member for Swansea (Mr. Dillwyn.) I hold in my hand a letter which is a *bond fide* representation of the class of cases which ought to be brought forcibly before the attention of the House. The letter is from a vicar of a parish in North Wales, and after stating the difficulties with which he has to contend in obtaining his tithes he says:—

"During the last 18 months I and my family have lived on a little bread, oatmeal, and bacon. Fresh meat is out of the question. If I were to put the present law into force it would cost me more than my tithes. The rector of an adjoining parish put the sheriff in two small farms for £7 each, and this cost £32 in expenses. I am drifting into debt to such an extent that I shall never be able to recover myself unless we should have some change shortly. I have been compelled to withdraw my children from school."

That is but a sample of many cases in Wales, where through the lawlessness, for it is nothing else, of the tithe payers, the clergy are reduced to the state so pathetically described in the letter which I have read. And yet the right hon. Gentleman the Member for Derby, knowing of the existence of this state of things, ignores it altogether, and practically charges the Government with bringing before Parliament, for no reason whatever, a change in the law to the disadvantage of the tithe payer. I am as much opposed as any one to a change in the settlement of the Act of 1836, which would give an advantage to one side without any consideration of the position of the other. I think there is a great deal to be said for the position which the hon. Member for Essex (Mr. H. Gardner) took up in one part of his speech. I am connected with a part of England in which the tithes are as

heavy as in Essex, and in which the value of land has diminished as much as in Essex. The whole question of tithe is one which unquestionably deserves the early consideration of the House; but it is not a matter which it is possible for the Government to bring under the consideration of the House during the present Session. It is a question of the greatest difficulty and complication. The settlement affected by the Act of 1836 was a settlement of great complexity, and it was carried out with the greatest possible care. I do not feel absolutely certain that there is any such general desire on the part of tithe owners and tithe payers in England to re-open that settlement as would be necessary to give a sufficient impetus to any measure to pass it through Parliament. But, however that may be, there is no doubt whatever that a short or simple measure cannot effectually deal with the question. The Tithe Act of 1836 dealt separately with the varying circumstances of every parish in the country. In some parishes there are many tithe payers, in other parishes there are only one or two; in some parishes the tithes are very light, in others they are very heavy. Owing to the alterations in the value of land, tithe on building land, for instance, will be a very small burden indeed, while tithe on arable land may be an insupportable burden. In any complete settlement the separate circumstances of every parish in the kingdom must be considered. I devoted this year very considerable time to the preparation of a Bill dealing with this question. I had it in a shape in which it was practically ready for presentation. The Government, however, were unable to introduce it, though they hope to do so as soon as opportunity offers. In the meantime, we ask the House to alter the law, not so as to give the tithe-owner more than he can now claim, but solely to that extent which in our judgment is necessary to enable the tithe owner to enforce the rights which the law gives him. The hon. Members who have moved and seconded the rejection of the Bill were equally ready with their opposition to the Bills of last year, and will be equally ready with their opposition to Bills of any kind dealing with tithe. Why is this? The hon. Member for Swansea said that

tithe is objected to in Wales as an unfair and illegal impost, because it is devoted to the maintenance of a Church to which the Welsh do not belong. [Mr. DILLWYN: I do not think I said "illegal."] The hon. Member went on to tell the House, much to my astonishment, that the Welsh would not object to pay tithe if it was devoted, not to the Church, but to educational purposes. Are not hon. Members aware that Christ Church, Oxford, is an educational institution? [Mr. T. E. ELLIS: For Wales?] Certainly, if the Welsh choose to go there. Is no educational establishment of value to Welshmen that does not happen to be in the Principality itself? The hon. Gentleman is himself an example of the advantages Welshmen derive from education elsewhere than in Wales. He was educated at Oxford, and Christchurch is in possession of a considerable tithe in Wales, and in no case has resistance to the payment of tithe been greater than in the instance of the tithes due to Christchurch. Do hon. Members who object to the payment of tithes bear sufficiently in mind the harvest they may be preparing for themselves in the future? They desire—I suppose they anticipate—that some day the revenues of the Church in Wales, and possibly of other tithe owners, will be handed over to the community for some local purpose; but surely, in the meantime, the property must be kept intact. There will be no tithe left if the collection of it is allowed to become difficult or impossible. From their own point of view they are running the risk of depriving the nation of the reversion of a valuable property which, to whatever purpose it ought to be devoted, ought, at any rate, not to go into the pockets of the owners and occupiers of the land. This is what we desire. We do not touch the vexed question of whether the tithes should continue to be devoted to their present purposes or not; we simply ask Parliament to take care that proper facilities are given for the collection of tithes from those who are bound by law to pay them. I deny that this Bill involves any unsettlement of the settlement of 1836. I do not wish to enter further into that. My right hon. Friend has dealt with the second objection of the hon. Member for Essex, that the

Bill renders liable to County Court judgment other classes of property belonging to the occupier besides that which is liable to tithe, but I do not think the hon. Member heard my right hon. Friend's denial of that allegation.

*MR. HERBERT GARDNER: The explanation of the Home Secretary, however distinguished he may be as a lawyer, does not make the law of this country.

*SIR MICHAEL HICKS BEACH: Really I can only state what the intentions of Her Majesty's Government are. I can assure the hon. Member that is what we intend by the provisions of the Bill to which he took exception. The words, of course, are the words of the draftsman, and if they are not sufficiently clear we shall be perfectly prepared to accept Amendment to make them so. The third objection was that the tithe payer might be rendered liable to considerable costs by the working of the Bill and to imprisonment. I am informed that it is an entire mistake to suppose that the Bill will render the tithe payer liable to imprisonment; but if costs are incurred it can only be by resistance to the payment of the tithe due and to prolonged resistance to the judgment of the County Court. I think that a person who voluntarily places himself in this position of opposition should be mulcted in costs. These were the only objections raised to the provisions of the Bill. I do not think I need detain the House any longer. I have stated shortly, and, I hope, plainly, the intentions of the Government in introducing the measure and the necessity in their opinion for it. I leave the Bill to the judgment of the House, merely adding, as I stated at the commencement of my remarks, that we do not consider this in any way a settlement of the tithe question: that we are quite aware there is much to be said on behalf of tithe payers as well as tithe owners, in framing any general and complete scheme; and at the earliest opportunity we will endeavour to submit such a complete scheme to the judgment of the House.

*MR. T. E. ELLIS (Merionethshire): It is very clear from the speeches of the Home Secretary and the President of the Board of Trade that this little Bill is aimed directly at Wales. The Home Secretary tried to make out that the Bill

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will bring relief to the tithe payers in England and Wales; but now that is put aside, and it is confessed and admitted that the Bill is directed solely at the Welsh people. Now, from that point of view it is not merely a small Bill, but it is a dishonest Bill, for it tries by heaping up costs against the peasantry of Wales to evade this tithe question in Wales instead of settling it. Therefore, the representatives of the Welsh people look upon this as a dishonest Bill. It is a small Bill, but it touches the most thorny of all the questions, and raises the most conflicting passions and interests. It is no use to try and shirk those great issues that are raised whenever tithes are touched upon. We have heard on both sides of the interests of tithe payers, tithe receivers, and of landlords. Tithe payers grumble in England as much or more than we do in Wales, there is more complaint in England of taking the corn averages; but so far as Wales is concerned we care nothing about corn averages, we look upon this as a great political and national question, and not a question of corn averages and whether the tax is heavy or light. There are some in England and there are a few people in Wales who say this is a tax on industry that ought to be abolished, but with this the bulk of the Welsh people have no sympathy. They are not such infants in politics and economics as to think that the abolition of the tithe would do any good to anybody except the landlords. Some say the tithes are heavy, others that they are light. Now, this due to a large number of conditions, due to some extent to the suppression of the monasteries and the fact that the vast estates of the monasteries were entirely free, and at the dissolution of the monasteries that freedom of the land was secured by the Act of Parliament decreeing their dissolution. Another cause of inequality was the allotment, in many Enclosure Acts, of a certain number of acres to the Church in lieu of tithe. Now, no attempt on the part of the Government to equalize tithes will be satisfactory, so far as the tithe payers of Wales are concerned, and I think the same might be said of the majority in England. This Bill deals only with the tithe receivers, and they have very different interests. I think the

lay impropiator has an interest, not very honourable, certainly not very creditable to the history of this country. No sacredness should attach to the claims of lay impropiators, which are the worst burdens upon land, because whilst landlords do put buildings upon it, impropiators do nothing but exact the last halfpenny. Bishops and clergy of the Established Church look upon tithe as a peculiar property sent by Heaven in which they have a life interest, and the law has provided a peculiar mode of collection, allowing the receiver to go straight to the farmer and distrain. The touching of this property, the Welsh people have been taught, is robbery of God. It is blasphemous and impious, say the clergy, to touch this property; but we in Wales do not look upon the matter in this light. New methods of collection have been adopted, not by the clergy alone, but by some of the wealthier corporations in the kingdom. Not content with the method of distraint, they have brought in emergency men and dragoons to enforce these claims. But this was not sufficient to get the tithe, and now we have the assistance of the County Court invoked. The interests of payer, receiver, and landlord are all subordinate to the interest of the nation itself. This first charge upon the land we maintain—and I believe that jurists and statesmen maintain—this first charge is the property of the nation. This is the view held by my countrymen, and the charge that Welsh farmers are animated by greed in resistance to tithe is answered by the Report of the Special Commission sent to the disturbed Welsh districts two years ago. That Commission reported that there had existed in Wales for a long time a strong feeling that tithes were improperly applied, and the desire had grown up, not that tithe should be abolished, but that it should be applied to some lay purpose for the benefit of the nation. The hon. Member for Carnarvon, for the thousandth time, has brought in the dreadful agitator as the cause of all the difficulty; but this Commission reports that this feeling of the Welsh people has arisen from causes partly religious, partly social, partly political, and partly national. The people of Wales do not wish for any paltry settlement or tinker-

ing with this question; they desire that the property of the nation should revert to the nation and that it should be utilized, not for the sect of the minority, but to promote the good of the whole population. The right hon. Gentleman (Sir Michael Hicks Beach) read a very pathetic letter from a Welsh clergyman, with the object of proving that in the interest of the poor clergy the collection of tithe was to be enforced; but in the latter part of his speech he seemed to be shocked and surprised that there should be resistance to the payment of tithe due to the great Corporation of Christchurch, Oxford. He need not have been surprised. Take the tithe endowments of Wales from one end of the Principality to the other, and you find the history is one long record of spoliation. Many Ecclesiastical Corporations have some time or other dipped their hands into Welsh tithe. At the Reformation, for instance, tithes from one county were taken to found the bishopric of Lichfield, and from another to swell the property of the great Corporation of Christchurch, Oxford. It is not for me now to plead the necessities of Wales in educational matters, they are patent to all men, and yet the Nonconformist people of Wales are asked to pay willingly, spontaneously, and joyfully from their educational poverty to keep up the largest and richest and most aristocratic of the colleges of Oxford. Not alone is it for the purposes of education. According to the Tithe Return of 1887, the Dean and Chapter of Christchurch are the clerical appropriators of tithes of several parishes in Montgomeryshire, so that they are even here used to maintain the English Church Establishment. Some of the very best friends of the Church in Wales have seen for half a century and more that the continued existence of these abuses would inevitably arouse the strong feelings of the Welsh people against the Church. The people silently suffered for generations because they had no voice in political matters, but the best friends of the Church saw the prospect of a great uprising of the people against this system long ago, and you may find this clearly indicated in Mr. Jones' remarkable book, "The Rise of Dissent in Wales." The references there showing how Welsh

tithe is devoted to the support of Deans and Chapters and Bishoprics and other Church purposes in various parts of England will explain that resistance to the payment of the Christchurch College tithe which the right hon. Gentleman the President of the Board of Trade thinks so unnatural. There is a great corporation represented in this House by an hon. Baronet whom we all greatly respect. I mean the Ecclesiastical Commissioners. I have no great complaint to make against the management of the estates of the Ecclesiastical Commissioners; but the fact is that very many of the clergymen in Wales showed their sympathy four or five years ago with the farmers in their distress and gave small reductions of 5 and 7½ per cent.; and those who evinced a sympathetic spirit are able to get their tithes without any difficulty. But the Commissioners exact the uttermost farthing. No doubt there are parishes in which the payment of tithes to the clergy is stoutly refused; but in those parishes there exist the memories of great wrong and of the tithes having formerly been paid year after year either to immoral clergymen or to absentees who never came near the parishes. Throughout a vast number of parishes in Wales the history of the tithe is a record of its application to absentee tithe owners. For instance, I could point out a parish in Montgomeryshire, where some half a century ago tithes to the amount of £750 went to absentee clergymen, while the religious care of souls in that parish was entrusted to a poor curate with £90 a year. In these Tithe Commutation Returns you may see how the tithes are diverted to ecclesiastical purposes in England, as, for instance, part of the tithe collected in Brecon being devoted to the support of the Dean and Chapter of Gloucester and the Dean and Chapter of Windsor. Can the House seriously expect that at any time, now or in the future, the people of Brecon will be content to have this first charge upon their industry devoted to such purposes? Whatever pains and penalties you impose on the Welsh Nonconformist peasantry, you will not get one inch nearer to your goal. The Welsh people are hard to drive, and this is shown by the history of this tithe agitation. With police, bailiffs, and military, the attempt to collect the

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tithe was a failure, for week by week the resistance of the people grew more stubborn. But then the Chief Constable of Montgomeryshire bethought him of a more peaceful method of collection, and he adopted the policy of consulting the people and conciliating them, and now tithes in Montgomeryshire are collected as easily as rent. This peaceful policy was jeered at by the Chief Constables of adjoining counties, but they have come round to the opinion that Major Godfrey was right, and they have followed his example. Now, the Home Secretary has told us that in the distribution of the tithe education gets a large share. Only a mere trifle of the Welsh tithe goes to the schools and educational institutions of Wales, the bulk of them going to All Souls College, and Christchurch, Oxford, the London Grocers' Company, Tewkesbury, Clare Hospital, and other bodies outside the Principality. Even the exceptions, and where schools and colleges in Wales get a share of the tithe, though well-managed from an educational point of view, they do not give satisfaction to the Welsh people, as they are managed almost wholly by Churchmen. The chief of the arguments of the right hon. Member for Bristol was the pathetic letter which he read from a clergyman. I will not ask the right hon. Gentleman to which parish or county that letter related; but I imagine that in that parish, as in every other, there must be rich men and squires who draw the rent. I admit that to some extent it is a hard fate that a man should have to live on bread, oatmeal, and bacon, and seldom to get fresh meat; but, after all, that is the fate of nine-tenths of my countrymen in the rural districts. Although I am quite willing to admit that many of the clergy have suffered, what a scathing criticism this is upon the tithe system. Here is a poor people, without any of the advantage of a tithe endowment, though robbed and despoiled for generations, yet who have by their own efforts in their poverty built up a system of religious and educational institutions that all over Wales, in lonely valleys, on bleak hillsides, in busy industrial centres, and on the quiet country side, make provision for their religious and social advancement. What remains of the Established Church in

Wales is the rent receivers, large land owners, and capitalists of Wales, and yet your chief argument amounts to this, that the clergy are starved because those who receive their ministrations do not come forward in their support. We are often told that the clergy in Wales do their utmost to come into contact with their tenants. That is certainly a revelation. It is very desirable that the parson and his flock should know each other; and it may be, as a witness before the Richmond Commission said, the payment of tithes is an opportunity of communication. It is desirable that the clergyman and his people should know each other, but there is the sad fact that the past history of the Church, its present condition, and, more than that, its present spirit in Wales make that well-nigh impossible. It may be said that in times gone by the state of the Church in Wales was sad and deplorable; half of the tithes in the various counties were enjoyed by absentee clergymen, but that now things are altogether changed. But the change is only in method, there are the same difficulties, the same estrangement now as there were a hundred years ago. It many cases—such, for instance, as that I referred to by question to-day—the clergyman is the owner and manager of the only public elementary and State-aided school in the parish, and no Nonconformist in the parish can ever become a teacher in the school, or have a voice in its management. After long years of trouble and endeavour the Nonconformists of Wales obtained from Parliament relief in the matter of burials, and even the Archbishops and Bishops in the House of Lords thought it was expedient to make the settlement; but the Welsh clergy have set themselves deliberately to frustrate, as far as they possibly can, the working of the Burial Act. I have a further charge against many of the clergy, the most serious of all, that so strong is their antagonism to the Nonconformist peasantry that they have gone out of their way to make it difficult for the Nonconformist peasantry to remain at peace with their landlords. While such a state of feeling exists it is difficult, if not impossible, for the clergy to come into close or friendly religious relations with their parishioners. I am satisfied that any attempt on the part of the House to make the collection

of tithes more easy, by heaping costs on the peasantry, will only open again the bitter and lamentable controversy which raged some time ago, before the Chief Constable of Montgomeryshire intended a more peaceful policy in regard to tithe collection. The people of Wales were supported by the hope that at last the House of Commons would provide them some relief, but if you declare war against them instead of proposing a peaceful settlement of the controversy, then there will be a repetition of the regrettable scene that took place in Wales some three years ago. The unanimous feeling of Nonconformists and of the feeling among many Churchmen too is that the Government should not have brought forward this peddling and tinkering Bill, but some scheme which would be a great and final settlement in accordance with the wishes of the people. Wales does not want this Bill, and as far as I can make out England does not want it. The only people who want it are corporations and the present tithe receivers in Wales. It is simply a piece of class legislation of the worst kind. The Bill may be a small Bill, but it is a Bill which will create great irritation, and inevitably disturb social order. Legal authorities declare that the Bill as drafted will inevitably result in imprisonment of people who refuse to obey the order of the County Court; and such a proceeding will make it more difficult for clergymen to collect these tithes. Does a Tory Ministry believe that because the debt is asked for by a County Court that the sturdy peasantry will immediately and spontaneously pay the tithe? No, the resistance will be still more stubborn, you will make the work of the Church in Wales still more difficult, and what, perhaps, hon. Gentlemen on the other side may think even more serious, it will lose you seats at the next General Election. I feel I have taken up too much of the time of the House. I desire in this matter to be perfectly frank. So far as Wales is concerned, we do not believe in tithe redemption schemes, in tithe equalisation schemes, or in tithe-collection-made-easy schemes, which are all schemes for evading the question, or bringing relief to receivers, or landlords. What we want in Wales, and what the Welsh people have declared over and

over again, is that there will be no final and satisfactory settlement of the question until tithes are devoted to national purposes. The first charge on the industry and toil of the Welsh people must not be an engine used for keeping up religious inequality and the dissemination of bitterness and strife in Wales, but a great instrument for the common good and welfare of the people.

SIR J. MOWBRAY (Oxford University): I will not attempt to follow the somewhat discursive remarks of the hon. Member, but as representing the Ecclesiastical Commission, I feel bound to take notice of some of the references to that body. At the conclusion of his speech the hon. Member expressed his desire to be frank, and I wish he had been equally frank at the beginning. He mentioned the Ecclesiastical Commission in connection with other Corporations who had, he said, dipped into the tithes of Wales.

*MR. T. E. ELLIS: I mentioned several instances in which Corporations had diverted the tithes to such purposes as the Bishopric of Gloucester and the Deanery of Windsor. I did not specially mention the Ecclesiastical Commission except as a large Corporation, which, with others, collected tithes in Wales.

SIR J. MOWBRAY: The hon. Member spoke of Corporations generally, and said that many of the great ecclesiastical corporations dipped into the tithes of Wales; but the hon. Gentleman seemed to have forgotten his own Return, laid before the House in April last, with respect to the income which the Ecclesiastical Commission received last year from Wales and the expenditure undertaken by it in Wales. That great Corporation received in the last year as annual income from property in Wales £28,796, and they paid away in Wales, to bishops, chapters, archdeacons, and to the Lampeter College, £32,023. In addition to that they paid in grants for the augmentation of benefices, £35,611. So that this Corporation paid away £7,000 more than they received in Wales, besides providing for the Welsh people such luxuries as bishops, chapters, archdeacons, and so on. It cannot, therefore, be said that the Ecclesiastical Commissioners have dipped into Welsh tithes for other than Welsh purposes. I will not dwell at length upon the Bill,

Mr. T. E. Ellis

but I think this Debate will probably convince the Government of the difficulty of dealing with large questions by small Bills,—but the Bill, so far as it goes, will have my hearty support. It is no less in the interest of the tithepayer than in the interest of the titheowner that the present antiquated and distasteful method of recovering tithes should be abolished. It has been urged that a County Court process of recovery would subject the tithepayer to imprisonment for resistance. But the Government have declared, and the Home Secretary is an eminent lawyer entitled to speak with authority, that they have no intention of involving such consequences, and if there be any doubt as to the purport of the Bill an Amendment will remedy the difficulty.

MR. RANDELL (Glamorgan, Gower): The Home Secretary has described the Bill as small, and the hon. Member for Carnarvon has added to the description "inoffensive," but I cannot admit that this last description applies. I am sure that the Welsh people will consider it an obnoxious Bill, and I think it will only aggravate existing evils and double the cost of procedure for the recovery of tithes. My objections are directed against the Bill as aimed, as it assuredly is, at the Principality of Wales. Our objection is aimed not at the recovery but at the present application of the tithes. If you apply those tithes to uses which will meet with the general acceptance of the Welsh people you will have no difficulty as to their recovery. As to the present mode of levying distraint, the Home Secretary has described it as a cumbersome machinery. No doubt it is cumbersome; but I think it is less expensive and less objectionable than the method now proposed in substitution for it. It is less expensive because the present cost amounts merely to a few shillings, whereas the cost of County Court proceedings will certainly amount to a larger sum. When the tithe owner shall have gone into the County Court and obtained his Judgment and "no effects" are returned he will have to go to the County Court for his judgment summons.

MR. MATTHEWS: No, no.

MR. RANDELL: I am glad to hear that denial from the right hon. Gentleman, but under the Bill as at present drawn up the judgment creditor has a

right to apply for a judgment summons. The Bill is objectionable also because the consequence will be the imprisonment of the tithe payer if he resists the bailiff of the County Court when he levies execution and there are no goods distrainable upon. I should be glad if the Home Secretary would rise in his place and tell us there will be no imprisonment under the Bill.

MR. MATTHEWS: As the hon. Gentleman challenges me I will at once declare that in my belief it is quite sufficient to tie down the execution to only such distrainable goods as are either upon the tithable land or upon land within the same parish and in the same occupation as the tithable land. Furthermore, the Bill prevents a judgment from being executed in any other manner than upon the seizure of such goods, and therefore judgment cannot be executed with the machinery of a judgment summons, which is such a bugbear to hon. Gentlemen opposite. That is the intention of the Bill, and if it be not carried out by the words I shall be prepared to strengthen and alter the words. I hope, therefore, that imaginary difficulties and obstacles will not again be raised on this point.

MR. RANDELL: I am glad to receive that explanation from the right hon. Gentleman, but as the Bill is drawn that is not so. The money is treated as a debt.

MR. MATTHEWS: The judgment recovered by the debt is to be treated only against certain defined property, and in no other manner whatever.

MR. RANDELL: Then I take it that the Government do not intend to give the tithe owner the power of applying for a judgment summons. Well, if that be so, I say it is a perfect waste of time to discuss the Bill. The bailiff who will levy the execution of the County Court is very much the same person who distrains now for tithes. If the goods are removed the distraint will be an abortive instrument. I am sure the promoters of the Bill behind the Government will be very much surprised that the Government do not intend to give the power of imprisonment. I hope the Home Secretary will, for the sake of the landowners, provide that where there are sufficient assets to meet the execution the proceedings will be confined to the

County Court, and that the High Court will not be invoked, because the costs in the High Court in proceedings of this kind are really a very serious matter to the landlord. I would ask the right hon. Gentleman whether, as the tithe is a first charge on the premises, he will introduce a clause into the Bill making the wages of the agricultural labourer and the workmen a preferential charge before the tithe in the event of the bankruptcy of the landlord. I myself desire to express sympathy with those clergymen who find difficulty in the collection of tithes; but I say that the Government have it in their own power to remove that difficulty by disestablishing the English Church in Wales.

MR. JEFFREYS (Hants, Basingstoke): I must confess I am sorry the Government have brought in such a trivial Bill. I had hoped to see a more comprehensive measure than this, and one which would have settled the question and prevented discussion arising in future years. I have an Amendment on the Paper to the effect that no scheme will be satisfactory without a provision for redemption, but, in deference to the opinions of my friends, I have withdrawn it. Although it may with some justice be said that this is a tithe-owners' Bill, I think, at the same time, it will not do much harm to the tithe-payers. I think that tithe is a just charge on the land to be paid by the owners, and I should like to see a clause introduced into the Bill compelling owners to pay it still. I doubt whether the distress clause will be effective, because there is no doubt that the occupiers refuse to pay tithe, not because they cannot pay, but because they do not wish to pay; they desire to make a demonstration against the whole system of tithe. The occupiers will make the same demonstration when distress takes place under this Bill, and therefore I am afraid that the measure will not do much good. I do not wish altogether to oppose it, especially as we have heard from the Government that they will undertake next Session to bring in a Bill to deal with the collection of tithes. With regard to what the right hon. Gentleman the Member for Derby (Sir W. Harcourt) said about the prices of cereals at the present time as compared with the prices in 1835, I think his statements show he is not an agricul-

turist, because although wheat was at a low price in 1835 it was nothing like what it is at the present moment, and in 1836, when the Tithe Commutation Act was passed, the average in price during the seven preceding years was no less than 56s., whereas at the present time it is about 28s. a quarter, or just half what it was then. There is no doubt that the tithe payers have had a considerable decrease in the payments they have made. Every hundred pounds worth of tithe in 1836 has now come down to a little over £80. If the corn inspectors did their duty properly, and calculated the averages of the corn, the tithe would be still further decreased, and I doubt whether there would be any necessity for a Tithe Bill at all. It appears, however, there is some difficulty in the way of the corn inspectors calculating the averages; and I can only hope that when we get a Board of Agriculture the work will be carried out in a more effective manner. In conclusion, I will merely say that if this Tithe Bill does no good, at any rate it does no harm.

*SIR J. SWINBURNE (Staffs, Lichfield): One point has not been mentioned, and that is that the Bill really means a Bill for facilitating the collection of tithes. I have been informed by land agents and others that it will increase the intrinsic value of the tithe 20 to 30 per cent. We have been informed that next year a Joint Committee of the two Houses will meet to discuss the matter, and that a larger measure will then be brought in. Any Redemption Clause will have to be based on the then value of the tithe. The Government say this is a very small Act; but, at all events, it raises the value of the tithe some 20 or 30 per cent, and when we have to pay a capital sum for doing away with the tithes, what will then have to be dealt with will be the value of the tithe at that time. Speaking as a tithe owner, as well as a tithe payer, I say the tithe owners have never paid one farthing towards improving the land. I know that in some cold clay soils, if it had not been for the enormous amount of money spent by the owners and occupiers in improving the land, it would not now be producing even the value of the tithe. We have heard a very pathetic story from the right hon. Gentleman the Member for Bristol (Sir Michael Hicks Beach). Let me tell a

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very pathetic story, too. It has come under my personal observation that a clergyman of the Church of England, in receipt of £600 or £700 a year, has gone away and left his parish in charge of a poor man with a large family at a guinea a week. I have known the family to be very near starvation. I say that whether the minister of the parish is a priest of the Church of Rome, or a Nonconformist minister, if he has the confidence of his congregation, they will keep him in a moderate degree of comfort. One would almost imagine that from what has been said that there were no Nonconformists except in Wales. I speak from experience when I say that a very large proportion of the people in the North of England are Nonconformists, and the same thing can be said of the miners of Cornwall. Though the Nonconformists have no revenue from the State, a large proportion of the country is covered with their chapels; stipends are paid, preachers are supported, and not only minister to the ordinary congregations, but travel about at their own expense, and Sunday after Sunday preach to people who would otherwise receive no attention, owing to the neglect of the Church of England clergy, who are dependent on the State and not on their own conduct for their maintenance. It seems to be altogether out of the question that the Government should bring into Parliament such a one-sided Bill as increases the value of these tithes from 20 to 30 per cent, and brings no corresponding advantage to the tithe-payer. I am a lay proprietor myself. I hope I may be forgiven by the hon. Member for Wales who sits behind me. My ancestors purchased certain tithes, and I have consequently had experience not only as a tithe payer, but also as a tithe owner. I have heard that certain of the clergy of Wales have made reductions in the tithes; but I have not heard from Gentlemen opposite that the Ecclesiastical Commissioners have made any reduction, although their tithes have in some instances brought the tenants to ruin. This Bill will raise the value of the tithe without giving any corresponding advantage whatever to the tithe-payer. I think it would be well for the Government to re-consider the whole question.

MR. CORNWALLIS WEST (Denbigh, W.): As this question of tithes

has been much under the attention of my constituents for some time past, I may be allowed to say a few words. I regret very much that I am unable to support the Bill. I consider it at the present juncture quite an unnecessary Bill. We are settling down in Wales to a conviction that it is better to wait until the question of the tithe is dealt with in a large and comprehensive manner, and I believe that such a Bill as this will only exasperate the Welsh people and make them more determined than they ever were in their opposition to the payment of tithes. If the Bill or some similar measure had been proposed some months ago, there would have been some reason for it; but it is unquestionable that matters are now settling down, and there is very little likelihood of any disturbance arising in the Principality. My hon. Friend the Member for Merionethshire (Mr. T. Ellis) stated that the clergy and the landlords of Wales were, if I mistake not, in a sort of conspiracy against the Nonconformists; that it was very much in consequence of the line of action which those two bodies take that there is so strong an opposition to the payment of tithes to the Church. But my hon. Friend seemed to forget that the tithes are paid not only to the Church, but to the charitable and educational institutions of the country. In my own district people have absolutely refused to pay tithes for the maintenance of a school. I entirely object to anything like a systematic agitation against the payment of tithes; but, at the same time, I do not deny that in the Principality there is a sentimental grievance which must be overcome. If the Government will give a pledge that in the next Session this whole question will be dealt with in a broad and liberal spirit, that will be quite enough to prevent any further outbreak of tithe riots, and such a Bill as we are now discussing is unnecessary and uncalled for.

MR. FARQUHARSON (Dorset, W.): I wish to express my regret that the Government have brought forward this Bill at all. Possibly it may be necessary that greater power should be given to titheowners to assert their rights in Wales, but there is scarcely a tenant-farmer in England who will not consider the Bill a reflection upon his honour. In no instance has it been proved that

the opposition to tithe in England has been founded on anything else but inability to pay tithe. At the present time, when the farmers are scarcely able to pay their rent or their tithe, it is most impolitic to bring in a measure which will encourage titheowners to recover in an arbitrary and hasty manner. I had certainly hoped that when a measure of this sort was brought forward, not only the interests of titheowners, but also the interests of the tithepayers would have been considered. It does not seem right that we should have a Bill carried through Parliament which will largely increase the value of the property of the tithe owners, and considerably decrease the resisting power of the tithepayers. As far as I am concerned, I may say that I shall support the Government in the Lobby, not because I approve of the Bill, but because they have given a distinct assurance that the sting of the measure is withdrawn, and that the power of imprisonment will not be enforced. On these terms, and these alone, will I vote for the measure.

MR. ARTHUR WILLIAMS (Glamorgan, S.): I confess that since the Bill has been in my hands, and especially since this discussion commenced, I have been at a loss to understand why the Government have brought this proposal forward. What can they expect to gain by introducing such a measure? In the first place, it is clear that, instead of introducing peace into the Principality, the Bill will increase the distraction which reigns there on the tithe question; it will renew the feeling of irritation which happier councils had allayed and dissipated, and one hon. Member, who represents a district in which the feelings between the people and the police have been most strained, has assured the House that if the measure is passed it will do a great deal of harm. And yet, at this late stage of the Session, when we have so much need for every spare moment for more important business, the House is called upon to spend a night in considering a weak and futile Bill—a Bill introducing a new method of procedure which is not wanted, and which will entirely fail in its effect. It is admitted on all hands—even by the supporters of the Government who have spoken and who have damned the Bill with faint praise

—that the Government proposal fails to deal with the great question of the adjustment of the tithe, which has been raised during the late years of agricultural depression. It will fail completely to relieve the tenant-farmer in periods of difficulty, and it leaves untouched the practical questions which ought to be dealt with. Now, I propose to deal with the matter from the point of view of a Welsh Member. It seems to me that the Bill is a most unfortunate one—it is a feeble attempt to suppress by a new mode of procedure what the Welsh people believe to be a great Constitutional right, *i.e.*, the power to make a public yet peaceful protest against what they consider to be an unjust law; and nothing that the Home Secretary can say will persuade the people of the Principality that the Bill, if passed, will not rob them of a Constitutional right. They have a conscientious feeling that the tithe is not properly due to the people to whom it is now legally payable. They believe—and they have reason to believe—that the proceeds of the first charge upon the land should be applied in other ways. They recognize the existence of a law which compels them to pay the tithe; but they also hold that if the law is enforced, they have a right to use the occasion of its enforcement as an opportunity for a Constitutional protest against the application of the tithes in Wales. If this Bill passes into law, the whole of the Welsh people will resent it and resist it. They desire to make this known. What is the attitude they have taken up? It is that of protesting, as our forefathers have protested from time to time during the whole of our history. It is the old, old story; it is a repetition of what took place 50 years ago in Ireland, where, in 1831, there were 7,000,000 of people, of whom 830,000 belonged to the Protestant minority, the rest being Roman Catholics, and mostly poor peasants. Over 6,000,000 of a poor, wretched, half-starved peasantry had to pay tithes in Ireland for the support of an alien Church—the Church of those few who owned almost all the land and almost all the realisable property in the country. But that was not all. In times of terrible depression they found it impossible not only to pay the tithe, but also to pay the exorbitant rents which were

Mr. Farquharson

being extorted from them, and so they resisted. What happened then was infinitely more terrible than anything that has happened in Wales. The ascendant minority in Ireland made use of the armed forces of the Crown, as unhappily now, in violation of our Constitutional rights, they make use of those forces in compelling civil process. The result was dreadful slaughter, which lasted for years. There was no occasion on which tithes were attempted to be levied that the soldiers did not come into collision with the peasants; fierce bloodshed followed, and there was dreadful loss of life until one man—Thomas Drummond—appeared in Ireland, and refused to lend the forces of the Crown for the purpose of enforcing civil process. Directly he declared that the military and police should only be called out to suppress riot, the whole aspect of affairs changed, and from that moment peace took the place of disorder, although the contest over the tithe question did not cease until the year 1870. As long as Mr. Drummond was Under Secretary for Ireland the people had faith in him. Well, in Wales the authorities have been weak, foolish, and wicked enough to call out the police and soldiery to assist in these distrainments. Can you conceive anything more irritating and more exasperating—more likely to bring about a collision—than this calling out of policemen and soldiers in order to intimidate the most law-abiding people in the world? Of course, they would not stand it; and I am not surprised at it. I will give the House an illustration of what has taken place. I happened last January twelve-month to be down in Pembrokeshire, and I was told there was going to be some terrible business. I took an early train and alighted at a little village station, the platform of which was occupied by a body of policemen drawn up in military array. I overheard a conversation between two policemen. One asked—“Well, what are we going to do to-day?” “Aye,” replied the other, “we’ll show them we’re as good as the redcoats.” I at once went to the Chief Constable, told him what I had heard, and suggested to him it was a serious thing to take men in this temper among a peaceful people. He was wise enough to realize the gravity of the situation. I accompanied the force, and

I told the people that I was a Welsh Magistrate and a Welsh Member. I assured them they were entitled to express their opinions in an open and public manner. Well, they did nothing which could even provoke a breach of the peace; the greatest good humour prevailed throughout the whole proceeding. The people are naturally angry when they see that they are being dragooned; they will not stand it; they will obey the law within the limits of the Constitution, but they have a right to protest against an unjust law, and they should be allowed to do so without being intimidated. It is not necessary we should have these new Acts relating to County Court procedure, and I do hope that the Government will relieve itself of the grave responsibility of pressing forward this measure. Just think for a moment of the position with which we now stand. We are approaching the end of a long Session; surely, we have already had enough time needlessly occupied in futile business without spending two or three nights over this Bill. The feeling in the Principality is so deep, and the idea is so thoroughly rooted in the mind of the Welsh people that the Bill is intended to be a Coercion Bill, that it will be the duty of the Welsh Members—and I hope that in this we shall be assisted by other Members of the House—to do everything in our power to prevent the Bill passing into law. I hope the Government will recognize the fact that their supporters are indifferent as to the fate of this measure. Last Session you tried a very much more comprehensive scheme; you tried, in fact, to imitate the experiment of Irish legislation in 1836. But you did not do it effectually. You bribed the landlords in Ireland to pay the tithe by giving them 25 per cent of the value, but after all you did for them they are now complaining bitterly of the fixed charge upon their estates. You had to withdraw your Bill last year, and I venture to tell you that you will never settle the tithe question unless you, or somebody else, deal with it in a broader and more comprehensive manner. In Wales it will never be settled until the tithes are applied to national purposes. It is perfectly idle to urge—as the right hon. Baronet did—that the Welsh people are receiving a much larger contribution

than is derived by the Ecclesiastical Commissioners from Wales itself. We were told that while Wales pays £30,000 in tithes, the Principality gets back £64,000. But that is one of the things of which Welshmen bitterly complain, and which they resent most deeply. The money does not come back to the Welsh peasantry or the Welsh farmers. It goes into the pockets of the Bishops and the clergy, into the pockets of the very people whom the Welsh regard as intruders, and as being in the Principality to perform no legitimate or useful functions, because the Welsh people have provided themselves with their own places of worship and their own ministers, and the £60,000 a year goes to the support of a comparatively small body of clergymen who minister to the wants of a small minority of the people—a minority mainly composed of Englishmen. These things provoke bitter animosity; why seek to continue it by pressing forward this needless measure? What does the Bill really mean? When I first read it, I came to the conclusion that as it was drawn it meant that a failure of a levy for tithe under the County Court procedure would be followed by personal liability. However that may be, I am quite willing to accept the assurance of the Home Secretary that this is not the intention of the Government, and that it will be safeguarded against. Therefore, we get rid of any chance of putting into prison a farmer who refuses to pay tithes. Then what is the advantage to be gained from this Bill? Instead of going on to the premises and levying a distress by a special bailiff, you must appeal to the County Court, go through an expensive procedure, time and money are wasted, and, after all, in the end the same sort of distraint will have to be levied, and very likely by the same bailiff. What is the use of inventing this perfectly fatuous new procedure when the present system of distress will answer all purposes? Let me, in conclusion, ask do you think that if you spend two or three days in passing this Bill into law, you will be expending the time of the Session usefully? I venture to think you will not, and I warn the Government that a grave responsibility will rest upon them if they persist in pressing forward this measure.

Mr. Arthur Williams

BARON DIMSDALE (Herts, Hitchin): I wish the Government had dealt with this matter in a more complete and comprehensive manner. This is a question which seriously affects the position of the Church, and the difficulty is rapidly extending to the Eastern counties. It will be remembered by those who have studied the past history of the tithe question, that in the year 1881 the Richmond Commission reported that the time would come when the payment of the tithe would have to be placed compulsorily on the land owners. That, indeed, was the intention of the settlement of 1836, and I think it is very much to be regretted that an opportunity has not been taken to solve the tithe question upon that basis. I think, however, that in addition to such a measure it would be wise to have some complete and well-considered system of tithe redemption, because although it may be true that you make the payment of the tithe by the landowner compulsory there are other persons who are affected, such as the small freeholders, who would consider it a great hardship to pay the tithe, and therefore this question could not be adequately settled unless you couple with the payment of the tithe by the land owner a judicious measure of tithe redemption. I own I am one of those who think that this Bill does not go far enough, because it deals merely with the fringe of the question; but, at the same time, I think we shall not be acting inconsistently in adopting it. It is desirable that we should pass some such measure as this, because it will pave the way for that complete and final settlement which I think most persons are anxious should be carried out. The object of the Bill is to improve the present procedure, and to substitute a County Court process for the unreasonable and antiquated system of distress; and I believe that if you make this change you will get rid of a good deal of the irritation which is now caused by the enforcement of the payment of the tithe. I cannot quite understand why the power of distraint is retained in the Bill. I think it desirable that we should have only the new and the simpler remedy provided by the County Court procedure, and that we should take the opportunity of getting rid of that old-fashioned weapon of distraint. I hope that the Government will pass this Bill as rapidly as

possible, because by so doing they will pave the way to a complete and final settlement of this question, which I trust will be secured at no very distant date. I believe that by a judicious measure of commutation we may relieve agriculture of a burden at once heavy and injurious to its interests, and at the same time improve the position of the receivers of the tithe.

SIR T. GROVE (Wilts, Wilton): The hon. Gentleman who has just spoken seemed to be a victim to the fallacy that by passing this Bill he would do away with the principle of distraint.

BARON DIMSDALE: Pardon me. I did not say that. What I want is to have the power of distraint taken away, and to have substituted for it the County Court process.

SIR T. GROVE: What I contend is, that if you do away with the power now exercised by the tithe owner, he will still be unable to get the money except by distraint. The process will be this: the person who refuses to pay the tithe will be put into the County Court, the debtor possibly will refuse to pay, and the bailiff will then go on to the premises and seize, if necessary, not only the stock and crops on the farm, but any personal property he may find in the debtor's house. You do not get rid of the law of distraint; you simply adopt a more cumbersome process of doing exactly the same thing as you do now. A great many hon. Members seem to think that by this new process you will avoid the friction which now exists between a clergyman who distrains and his tenants. Do you think that the tenants will have a bit more good feeling towards the clergyman who distrains under this Bill than he has towards the clergyman who uses the present process of distraint? We are wilfully wasting a great deal of time, and if the Government carry their Bill they will be in exactly the same position as they are now. In my own county the clergy have in many cases made reductions of tithe, and showed sympathy with the tenants under agricultural depression; and what has been the result? The tenants have tried to meet them in every possible way; and there is no occasion for such a coercive measure as that now proposed by the Government. If the Government proceed with the Bill, contrary to the advice of hon. Members on both sides of the

House, the measure will never get through Committee, but will be challenged on every point. No measure in regard to the tithe question will be satisfactory unless it includes a plan of redemption, and any Government which undertakes to deal with this great subject ought to include the question of redemption in its scheme. The present Bill will no doubt increase the value of the tithes; and, therefore, if a plan of redemption be brought forward on a future occasion, it will put the tithe owner in a much better position than that which he now occupies. Even if the Bill gets through a second reading, I hope the Government will be wise in time and not endeavour to pass it through Committee, because if they do it will cause them, both now and hereafter, more trouble than they have any idea of.

SIR ROPER LETHBRIDGE (Kensington, N.): If this Bill is likely to be so futile and inoperative a measure as is represented by the last speaker, and by other hon. Members opposite, I do not quite see how it can increase the value of the tithe as they contend it will do. Surely the two statements are contradictory. As a supporter of the Bill, I quite admit that a very strong and very reasonable objection to the Bill is taken by those who complain of its being an incomplete measure. Sir, it is avowedly and admittedly an incomplete measure. It is perfectly obvious to those who have carefully followed the history of the tithe question of late years that no measure will be ultimately satisfactory as a solution of the question which does not provide an equitable system for the redemption of the tithe. It is equally obvious that there must be some scheme for the more regular adjustment of the tithe to the quality and producing power of the land on which it is levied. There are, undoubtedly, many other points that will have to be settled before this great and important question can be regarded as ultimately disposed of. Only a short time ago I myself came to know of a parish where the land was going out of cultivation, and the place was becoming almost depopulated, owing to the agricultural depression and to the fact that the tithe was really larger than the rent-producing power of the land. Therefore, I

must entirely sympathize with my hon. Friend the Member for the Maldon Division (Mr. C. Gray), who complains of similar circumstances; but I appeal to my hon. Friend to remember that half a loaf is better than no bread, and especially in regard to this particular Bill, which deals with that part of the question that is of the first and most pressing importance. And my hon. Friend will surely remember what has been the pressure on the time of the Government, and will bear in mind that Ministers cannot accomplish impossibilities. They cannot drive four coaches abreast through a narrow place like old Temple Bar, and I do trust my hon. Friend will see his way cordially to support the Bill. Surely the measure does deal with the most pressing point. The objection taken by the hon. Member for the Saffron Walden Division (Mr. H. Gardner), that it will not be operative, is entirely baseless, inasmuch as it does all that can be done at present to put an end to the crying scandal of the scenes we have all witnessed with so much pain in connection with the levying of distress for tithe in Wales. The evils of the present system will at any rate be greatly modified by substituting for the present process the more reasonable one of the County Court. That alone, in my opinion, is ample reason why the Government should press this Bill through Parliament, and I sincerely hope they will do it. The hon. Member for the Saffron Walden Division admits himself that the present system of levying tithe is objectionable. The hon. Member does not tell us, at any rate in terms, that he repudiates the legally binding nature of tithes. He does not deny that, as the law stands at present, they are payments legally due to the tithe owners. The hon. Gentleman who has just sat down spoke euphemistically about resistance to the payment of tithes in Wales. He said he thought people did not actually resist the tithes, but allowed them to be enforced. But the allowing them to be enforced produces such scenes as those which we deplore, and such scenes as the hon. Member who spoke last specially deprecated as the result of the employment of police and military in support of the civil powers. These things are greatly to be deprecated; but, under the present circumstances, they are absolutely

inevitable. The hon. Member for the Saffron Walden Division objects to the Bill because it provides a reasonable method of recovering what he does not deny is a just and reasonable debt. Some hon. Members have spoken of the Welsh tithe payers having conscientious objections to the payment of the tithe in support of a Church of whose teaching they do not approve, as if that fact were reasonable excuse for their refusing to pay. Well, Sir, in the first place, I would ask the hon. Member to say what he thinks about the lay owners of tithes. Their rights surely ought to be considered. I could understand a man saying—"I have a conscientious objection to pay tithes, and I will suffer a loss rather than violate my conscience; I will sever my connection with the land; I will retire from an occupation that forces me to violate my conscience." I should think such a proceeding a highly Quixotic one, but at any rate it would be a moral one. When, however, a man says he has a conscientious objection to paying tithes, and therefore puts the money in his own pocket, keeps that which he knows to belong to somebody else, and allows the law to be enforced before he pays, all I can say is I do not understand the morality of such a proceeding. It reminds me of what I think I may call the famous remark sometimes attributed to the hon. Member for Northampton (Mr. Labouchere), when he said of a certain celebrated statesman, "I do not object to the right hon. Gentleman always finding he has got an ace up his sleeve, but I do object to his saying that a Divine Providence placed it there." In my opinion, the mere fact that this Bill will provide a rational method for recovering just payments, and will do away—to the utmost extent compatible with legality and justice—with those painful scenes which have recently been witnessed in Wales, is quite sufficient justification for the passing of the measure, and I hope the Government will persevere with it.

*MR. F. S. STEVENSON (Suffolk, Eye): It is perfectly consistent on the part of hon. Gentlemen who oppose this Bill to say that while they think it will be futile and useless as far as remedying the grievances of the tithe payers is concerned, it will yet be pernicious in its operation, inasmuch as it

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establishes a new principle not only as to the practice of collecting tithes, but also as to the theory on which tithes are based, because, instead of effecting a permanent settlement of the present difficulty in Wales, it has a tendency to aggravate and intensify the existing discontent against the payment of tithes as a whole. The right hon. Gentleman who introduced the Bill defended it on the ground that it was a little Bill. It is a little Bill, in the sense that it is short, but it is by no means little in its application. It will apply not only to Wales, but to the Eastern Counties of England, three of which, as has been said by a previous speaker, pay no less than one-fifth of the whole amount of tithe payable. The President of the Board of Trade made use of one very pregnant sentence in the course of his remarks—a sentence which will be remembered and quoted hereafter when the rest of this Debate is forgotten—when he referred to the possible reversionary interest which the people have in this great national property. In making that admission, he made one with which most Members on this side of the House will be disposed to agree. The right hon. Gentleman used the admission for the purpose of showing that hon. Gentlemen who, in opposing the Bill, do anything to diminish the actual amount of the tithes paid, are, by so doing, diminishing the ultimate amount of what may come to be the property of the nation itself. The question, whether the nation has a moral right to this property at the present time, is an abstract question, and the question of whether it will eventually have an actual right to it is a question of prophecy. There is one question which is an actual question at the present time, and that is, who is it who pays the tithe, and upon whom does this burden ultimately fall? I think I shall be able to show that the burden ultimately falls upon the nation as a whole. In the first place, it will be generally admitted it cannot fall on the tenant, because, if tithes were abolished tomorrow, that would be a present to the landlord. It cannot fall on the labourer, because the fluctuations in the wages of labourers are due to well ascertainable and well ascertained causes. It cannot fall on the landlord, because the landlord, or his

father, or his ancestors bought the land subject to a certain payment. Upon whom, then, does the burden fall? I think we can judge from this analogy that in all counties in which tithes have been abolished there exists a very heavy taxation upon land—a taxation more than equivalent, in some cases, to the tithes paid here; and if tithes were abolished it would probably follow that there would be imposed upon land an additional taxation about equal to the tithe paid at the present time. The money that would, under these circumstances, go into the pocket of the nation as a whole now goes into the pocket of a limited number of individuals; and, therefore, I say that the burden of payment ultimately falls on the nation as a whole. The fact, however, that the nation may have an ultimate right to the tithe, and that the burden falls upon it now seems to me no reason whatever why, when there is an admitted grievance, as in the present case, Parliament should not deal with that grievance. This Bill provides an entirely partial and one-sided settlement of the difficulty. It does nothing with regard to the question of re-adjustment. An hon. Member on this side of the House spoke of the corn averages question. That is a subject on which a rather keen interest is felt in some quarters. Some fifty years ago, when the price of corn was high, the farmers sent all their corn to market, and, therefore, the calculation was made on all the corn. At the present time, when the price is very low, they only send their best corn to market, and, therefore, the calculation is now made only on the best quality, and to that extent is unfair to the tenant. As to the question, whether tithe should be paid directly by the owner, it has twice been pointed out in this House—once in the Debate on the Agricultural Holdings' Bill and again by the former Member for Southwark (Mr. Thorold Rogers)—that there is a certain lever in the hands of the landlords at the present time owing to the loss incurred by the tenant in giving up his holding. To that extent I contend we must make a certain allowance and a certain qualification in saying it is a matter of indifference whether the tithes are paid by the tenant or by the landlord, because the burden must, to a certain extent, fall more heavily on

to avoid just obligations. This principle is one that I hope even the hon. Member will recognise, namely the principle that by paying tithes without a solemn and earnest protest the Welsh people would be maintaining a system which their consciences condemn as inimical to the public welfare. Now these tithes, at any rate throughout the Principality, have been associated with the support of the Church. I am very much surprised to find the right hon. Gentleman (Sir Michael Hicks Beach) coming to us with a letter from a distressed clergyman in Wales. We sympathise with the distressed clergymen very much, but I am bound to say that I think the reply to that letter should have been something to this effect—"I am very much surprised that you, a member of the wealthiest religious association in the world, should have been obliged to write such a letter as that to me. If you only look outside the walls of your own church you will see dotted about the neighbourhood three or four chapels, the ministers of which have no tithe provided for their support, and whose congregations are not drawn from the richer classes and are not of high social position such as those who attend your own church, and I am surprised that you should have been obliged because of the default of those to whom you administer to write such a letter of complaint." It is a scandal, we admit that it is a scandal, that such a letter should be written. But the scandal does not rest on those who refuse to pay tithes so much as it does on those who are ready, rich though they may be, persons of position though they may be, persons of high character though they may be, to take religious services at the expense of other people. It would have been very much to the point if the right hon. Gentleman had said this—"Those wealthy persons to whom you have very properly administered religious services should pay for what they receive themselves." There has been, no doubt, a considerable amount of disturbance in connection with the collection of tithes. It is said that this measure is promoted as a measure of police, that is the last justification we have had of it. But I can find nothing in the Bill which answers to the description of it as a measure of

police. Tithe owners have now the right to levy tithes by distraint, and if this Bill is passed they will actually have the same right as they have now, only that it will not be called distraints, it will be called execution, and between the time of application for payment and the levy of distraint the tithe owner will be able to add some 30 per cent to the amount of his claim. I should like to ask the right hon. Gentleman the Postmaster General, who always takes a great interest in Welsh subjects, and answers for the Government on such subjects, for which class it is the Bill is brought in. Surely not for the tenants, who will pay; that would be absurd. Then will it be said it is brought in for those who are willing to pay. What foundation is there for the argument that they will be more willing to pay the larger sum; the sum increased by the addition of costs than they are to pay the smaller sum which now can be demanded. What warrant is there for saying that they will be more ready to pay when the claim is made by the County Court? There is no suggestion or warrant for such a supposition. The only difference will be that you are removing the opposition of the tenants from opposition directed against the agent of the tithe owner to opposition directed against the Ministers of the law; and herein lies the reason why the Bill is introduced. By this Bill, the persons who collect tithes will be able to stand in a different position from a mere bailiff of the tithe owner. It is because Her Majesty's Government are anxious to give the tithe owners some new, some additional right, that they are desirous that this Bill should pass. They are anxious that tithes should be collected by persons who if resisted, or who if they make an arrest and are met with an attempt at rescue, could at once take those who oppose them before a Justice of the Peace. The Government are anxious to move the distraints which now exist into a different category; into the category of an execution under the County Court, which can be protected by criminal proceedings. That is why the Government are so anxious for this measure. Again it is said that this is a substitution for the present method. It is not a substitution at all. Do the Government propose to substitute for the cumbrous method of raising the

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tithe an easy, inexpensive one? On the contrary, they leave the cumbrous expensive method where it was. They do not in the least abridge the rights of tithe owners as they now exist. All the Act will do will be to give a remedy of a very serious character. If a man owes tithes to the extent of £10 he will be ticketed up and down the country throughout every trade circular as a defaulter, and his credit thereby will be very much affected. That I suppose is a desirable thing in the view of Her Majesty's Government that they should be able to affect the credit of those men, who, speaking from my own knowledge, are conscientious in their opposition to these tithes. Upon these the Government are anxious to impose a discredit which does not now attach to them. More than that, this remedy is a much more costly one than the remedy which now exists. I am not speaking of professional costs. Apart altogether from these there are certain necessary fees attendant on County Court proceedings; five per cent as soon as the plaint is entered, and then 10 per cent for hearing fees. 4s. 6d. in the £1 must go before you can arrive at the point at which the Act says you may levy and take in execution. The costs very much add to the burden of the tithe. And for what purpose? Can Her Majesty's Government believe that those who, rightly or wrongly, object to the tithe of £10 will not object to the addition of 4s. 6d. in the £1 to that £10? Can it be the opinion of Her Majesty's Government that the man who objects to pay the lesser sum will readily pay the greater. That seems to me utterly absurd. I cannot help thinking the Government have brought in this measure in order to strengthen the hold of the tithe owner if they can. This tithe property has, as we know, for years been in a perilous condition, and the Government by this Bill are attempting to give it new strength, new life; so that when a comprehensive Bill is introduced the present Bill may be quoted as giving a Parliamentary sanction to the property, thus enabling it to be redeemed at a higher rate.

*MR. STANLEY LEIGHTON (Shropshire, Oswestry): I wonder whether the hon. Member who talks about tithe-rent charge being given a new Parliamentary sanction by this Bill is aware that it

has possessed that sanction for many hundred years?

*MR. WARMINGTON: Yes, certainly.

*MR. STANLEY LEIGHTON: The tithe was sanctioned centuries ago, and was commuted into tithe-rent charge more than 50 years old by Act of Parliament. The tithe is national property says the hon. Member, then would it not be a good thing to give the nation the means of getting it collected? The hon. Member who moved the rejection of the Bill summarised his objections under four heads—(1) it was too short; (2) it was too long; (3) that he could not understand it, which he amply proved by complaining (4) that it involved fine and imprisonment. How can hon. Members talk of being taken by surprise by this Bill, when for the last three years promises have been made to deal with this matter; at length we have got a Bill which, though not a very large measure, does deal with the question in a practical way. It is not at all necessary to go into the origin of tithe, or to discuss whether the property belongs to the nation or to this or that individual—tithe ceased to be exclusively ecclesiastical property at the time of Henry VIII., and hon. Members who have spoken on the subject seem to forget that some tithe rent charge forms part of the endowment of Non-conformist chapels. This Bill is essentially a measure for the promotion of social order. It is a police Bill. It is a Bill intended to remove a legal difficulty, and the ground on which we ought to support it is that social order has already been very gravely disturbed. There have been riots; the military have been called out; emergency men have been brought on the scene; special commissions have been appointed; police have been sent from one county to another to assist in the enforcement of the law, all because of the unpopularity of the method provided by law for recovering just debts. By this Bill we hope to get rid of the "man in possession," the bailiff is always a most unpopular person. As the right hon. Gentleman the Member for Derby has said, the present method of collecting tithe rent charge is a relic of barbarism. This old system of asserting one's individual rights, by personal instead of judicial agency, ought to be got rid of. Why, I ask,

declare to be offensive and obnoxious. I hope the House will seriously consider this point before it agrees to read this Bill a second time. There is not one representative of the Principality of Wales who can get up in his place and assert that the Welsh people are in favour of this sort of legislation.

*MR. C. GRAY (Essex, Maldon): I am bound to say that in my opinion it is a mistake that a Bill of this nature should be the first measure which this House is asked to pass during the present Parliament on this vexed question. I know that in saying this I may be open to criticism on the part of hon. Members on this side of the House who stand up for the interests of the Church. But I will say to those hon. Members that I am just as jealous as they of the protection of the property, either of Church or Chapel. I have always understood that the property in tithe rent is a very difficult one to describe, and when there are such contrary ideas with regard to the character of this charge, there is the more reason that the question should be thoroughly gone into. I think the time has come when this question should be fairly faced, and I believe that it will be in the interests of those who are attached to the Church, that it should be faced in a bold, a manly, and a straightforward manner. It would, in my opinion, be better in the interests of the Church and of hon. Gentlemen opposite, that this question should be firmly dealt with by a Parliament constituted as the present Parliament is, rather than it should be left to the tender mercies of some Parliament which may, at a future day, succeed it. We are told that farmers who object to the tithe are spoliators, but I do not think they object to the principle of the tithe itself so much as they do to the amount of the charge. There has always been something peculiar about this tithe rent property. If we go back to the passage of the Commutation Acts in 1835 and 1836, we shall see that the legislation was rendered necessary by the reasons closely allied to those which render it necessary now. Fifty years or more ago it was found that the altered conditions of agriculture rendered the whole system of levying tithes quite inapplicable to the then exist-

ing state of things. It was argued that the improving farmer who was going in for modern agriculture was not only giving his quota to the tithe owner, but that he was also giving him a direct interest in the improvements the farmer was then effecting. That was considered a reason for asking Parliament for a re-adjustment of the whole question; and it was supposed that by raising the tithe on the prices of wheat, barley, and oats, the question would be fairly settled for a long time to come. I believe it did settle the question for a long time, and no one who took part in the passing of those Acts could have hoped for more. May I ask the House to consider the great changes that have taken place in agriculture since 1836. Then we had Protection. We are told that Protection is dead, and can never be resuscitated; but we know that railway and steamship enterprises have turned the agricultural industry topsy turvey. Is it not fair, then, that we should ask that this tithe system should be overhauled. The Government do not deny the necessity for opening up the whole question, but I am told that this Bill merely attempts to deal with just one little branch of the question. The English farmers have waited patiently year after year for 10 or 12 long years of agricultural ruin, and they have been told over and over again that this vital question will be threshed out in Parliament; they have continued to pay their tithe as long as they have had the necessary cash to meet the debt, and as long as the law stands as it does they will pursue the same course; but having been so law-abiding they ought to have been treated with more consideration than they have experienced. I know perfectly well, or I think I know, that the present Government have some very good intentions in connection with this matter, and I am addressing these remarks more to the power behind the Government that is pushing them on, and that originated this measure, than to the Government itself. I am addressing myself to the Church party, and, if they would allow me to say so, I would observe that they have made a very great mistake in pressing a measure of this sort to the front before they have stated what they will do with regard to the whole question. It is all very well

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for us to be told that this Bill is only the fringe of the question, and that a great Bill dealing with the whole question will be introduced later on. Yes; but when will that be? We have come to the end of the Session, or very nearly so, and I hope we shall not have to come here again until late in next February. How do we know what may not crop up in the meantime, and how do we know that we long suffering farmers of East Anglia may not have to go on suffering for years to come without redress? If I voted for this Bill instead of standing up for the British farmers in an independent way, those who sent me here would say that I had shown too much loyalty to my party. Expressions of approval at my observations have come from the other side, and though I am thankful for them I am sorry to gain those expressions at the expense of any one on this side. I am thankful to hon. Members on my own side for the very lenient way in which they have allowed me to give my views on this question. With regard to what has fallen from the hon. Member for Merioneth and the hon. Member for the Eye Division of Suffolk as to the tithe being devoted to national purposes, I must say I think it would be a great mistake from an agricultural point of view if their desires were to be realized. I would ask the hon. Member for Eye what the farmers of a Suffolk parish would think of the arrangement if the £400, £500, or £600 they pay in the shape of tithes were to go away from their parish and be taken to London—to some central office at Whitehall—to be spent all over the country, in Manchester, Birmingham, London, and other large towns? How much would the hon. Member be able to tell his constituents they would be likely to see returned to the parish from which it was taken?

MR. F. S. STEVENSON: I did not advocate anything of the kind. I pointed out that if tithes were to be abolished to-morrow in England, as in other countries, a tax would be imposed upon land very much corresponding to the amount now levied in tithes.

*MR. C. GRAY: I am glad the hon. Member does not advocate the application of the tithe to national purposes, but several hon. Members sitting on that side of the House most decidedly did so, and if they will regard the remarks

which, perhaps, too personally I have addressed to the hon. Member for Eye, as addressed to them my purpose will be served. I should be very sorry to see the money going away from the country parishes and passing through a London office. It is bad enough when we are short of money to have to pay the last penny to the clergyman—who is not always very generous—but we do sometimes get a little deduction from him. From the gentleman who would come down to us with a black bag from London we should never get a penny back. Though I hope soon to return to my old allegiance, on this occasion I shall be obliged to walk out of the Lobby without voting.

*MR. H. H. FOWLER (Wolverhampton): Although this question must be looked at from an English as well as from a Welsh point of view, after the speeches we have heard from the right hon. Gentleman the President of the Board of Trade and the hon. Member for Merioneth it is idle to shut our eyes to the fact that the Bill has a peculiar bearing upon Welsh interests, and any alteration that may be made must have special reference to Wales. With reference to these two speeches to which I refer they suggest two observations which I should like to make to the House before touching on the general question. The first is this: I cordially concur with the right hon. Gentleman the President of the Board of Trade that it cannot be the desire of any section of the House to destroy the property which is represented by tithes. I have no desire to make a present to the land owners of Wales of the tithes chargeable on their land, and any weakening or destruction of property in tithe would not benefit the tenants, but would put money into the pockets of the landlords. Whatever our views may be as to the appropriation of tithes, we are bound as trustees for the public to preserve that property in its present state. We ought not to sanction any legislation that would tend to destroy the value of that property, and I am sure that those of my hon. Friends who desire to see this question dealt with on a broad and national principle will support that view of the case. I deplore the sneers which have been levelled at the Welsh Nonconformists in the course of this Debate.

It has been suggested that the Welsh farmers have resisted payment of tithes, not because of their religious scruples, but because they wish to save their pockets. It is the fashion now-a-days not to believe anyone who claims to have a conscience. If a man says, here or elsewhere, that he does a thing from conscientious motives, an opinion unfortunately prevails that he is not only stating what is untrue but is doing an improper act under the specious pretext of being influenced by a good motive. I think, and I hope the Church of England Members opposite will endorse what I say, that when we bear in mind the history of Nonconformity in Wales—its splendid self-sacrifice, quenchless hearty enthusiasm, and magnificent generosity. Welsh Nonconformity is not only one of the most precious inheritances of the Welsh people but a principle which we, as a nation, ought to value; and we ought to give some credit to those who profess it for being actuated by conscientious motives. Coming back to the speech of the Home Secretary, as to what is really the legal position in reference to this tithe rent charge and its recovery. It has been assumed throughout the Debate that the person liable to pay the tithe is the occupier, but Lord Salisbury said last year in the House of Lords—

“The occupier is not the debtor, and he has to suffer the inconvenience of a distress for a debt which is not his own.”

Now, I want to start my argument with that. It is Lord Salisbury's declaration that the obligation to pay tithe is one which does not legally rest on the occupier, and that if the occupier is subjected to distress he is subjected to an inconvenience for a debt which is not his own. *A fortiori* that would apply to a judgment of the County Court. The Home Secretary glided over the great change he is going to make in the procedure for the recovery of tithe—and I must remind the House what is the law as to the recovery of tithe at present. It is no debt of the tenant, according to Lord Salisbury. Neither is it a debt of the landlord. It is a charge on the produce of the land, and nothing else. The law does not recognise it as a debt at all, but merely as a charge upon the land which must be levied out of the land. The Act of 1836 provided that—

“Nothing herein contained shall be taken to render any person whomsoever personally liable to the payment of the rent charge.”

I take my stand on that. That was the fundamental condition of the Act of 1836, that no person should be personally liable for the payment of tithe rent-charge. What is now proposed is an alteration of the law. It is proposed for the first time to render some persons personally liable, and to change what is a charge upon the land into a debt, recoverable from the person who, according to Lord Salisbury, is not the debtor. The excuse put forward for that change is that it is in the interest of law and order. Is that so? The Welsh tenant who now declines on conscientious grounds to pay tithes will continue to decline to pay on the same ground, and there is not a pin to choose between the present method of levying distress and the execution which will take its place. I understand the President of the Board of Trade to say it is not intended to levy execution upon anything which cannot be now taken under a distress. That is not expressed in the Bill. If a clause to that effect is introduced, the effect will be to give us a new Bill, and I must confess that a great deal of my objection will be removed; but assuming it will be altered in that sense, the charge will still be a debt recoverable under a judgment. That involves the introduction of the power, which is possessed by the County Court Judges, of sending the debtor to prison under an order made upon a judgment summons for contempt of Court in not paying the debt. The President of the Board of Trade says the settlement of 1836 was one of great complexity, which could not easily be described, and he doubted whether any Government would have sufficient public sentiment behind it to enable it to carry a measure disturbing that settlement. I agree with that statement, and that is my answer to the last speaker. The question undoubtedly is one of great complexity. The hon. Gentleman who has just sat down is of opinion that there are a great many points on which the settlement of 1836 should be re-opened. If there were no other question to be settled, the farmers contend that there should be a re-valuation. It is not a question of what the temporary price of corn may have been in 1836, or in

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the seven years preceding, or the seven years succeeding; but, as a matter of fact, the annual rental value of land in this country has seriously depreciated. Hon. Gentlemen opposite will not deny that. In the Committee on Woods and Forests, now sitting, they have ascertained that the depreciation in the value of Crown land since 1836 is something like 33 per cent; and I think my hon. Friend the Member for the University of Oxford will say, as to the Ecclesiastical Commission, that the depreciation with other property has been the same. Very well, then, have not both the landowner and the tenant the right to say—"If you are going to reconsider the settlement of 1836, let us consider the basis on which that settlement was made. If rents have gone down why should not tithes also go down?" And not only has the value of land decreased something like 33 per cent., but there is a question raised as to the number of years over which the average is taken. There is, I think, a consensus of opinion that seven years is too long a period to settle prices by average. And there is a question as to the mode in which averages are calculated. If you re-open this settlement you must re-open it on the side both of the tithe payer and of the tithe receiver. But this is simply a Bill for re-opening the settlement in order to impose what was not imposed in 1836, and what has not been imposed by any Government since then. It is proposed for the first time to impose personal liability upon the tenant; a liability which he was never subjected to before, and it is also proposed to enforce that liability by all the consequences of a County Court judgment. Last year the Government proposed to deal with this question by transferring the liability from the tenant to the landlord, but they were unable to carry that proposal through. This Bill is an attempt to prejudice the question, and I should like to know why a settlement which has been accepted as the truest and best—namely, the placing of the burden on the shoulders of the landowner, should be discarded and put on one side. Why not deal with this matter in the same way as the Income Tax is dealt with? A tenant is not allowed to contract himself out of that, and the landlord is bound to allow the deduction; but in the case of the tithe

rent-charge, the landlord can compel the tenant to contract himself out of the deduction. I do not wish to go into the details as to what is the best and true mode of settling the tithe question. I do not wish to raise the question of the terms of redemption. I fully appreciate the statements which were contained in the letter read by the right hon. Gentleman, the President of the Board of Trade, but I should like to ask the right hon. Gentleman whether he thinks that there are not other teachers of religion who are perhaps in the same unfortunate position as the writer of the letter which he read to the House. Though I feel the most sincere sympathy with the case of the writer of the letter, I should like to make one remark in reference to it. About a month ago, in reply to a Motion by my hon. Friend, the Member for Swansea, it was pointed out on the other side of the House that there were not two Churches in England and Wales, but that the Church of Wales was essentially a part of the Church of England." And, if so, we must remember that this clergyman is a clergyman of the wealthiest church in Christendom. Is not that a bitter condemnation of the system? I do not wish to mix that up with the case which my hon. Friend, the Member for Merionethshire, put as to what he considered to be the unfair appropriation of the funds. I put that on one side. There are clergymen for whom I feel the sincerest sympathy, and who, I admit, are deprived of their fair and legitimate income under the operation of this law. But I put it to the House that these facts show what a deep-rooted feeling there is in Wales upon this question, and how necessary it is that statesmen should at once approach the settlement of it. I rest my opposition to the Bill neither on the demerits of the present tithe system nor on the sufferings of the present tithe owner, but I submit that the legislation of 1836, with the consent of both the great political parties, made a settlement of the tithe question. That settlement has been in force half a century. I believe the time has arrived when it is necessary to reconsider it, and we have no right to prejudice that reconsideration by a partial dealing with the subject as against the tithe payer and in favour of the tithe owner. On these grounds I

shall feel it my duty to vote against this Bill.

THE POSTMASTER GENERAL (Mr. RAIKES, Cambridge University : I do not think the right hon. Gentleman could have been in the House when the Home Secretary explained his view of the meaning of the clause to which the right hon. Gentleman has taken particular exception, and I therefore wish to repeat the Home Secretary's statement that no liability to the person is intended to attach to the judgment of the County Court. My right hon. Friend has ingeniously enough evolved that liability as incident to County Court procedure, but that is a matter which can easily be dealt with in Committee, and again I repeat that it is no part of the intention of the Government that any such personal liability should attach to the judgment of the County Court in this matter. With regard to Clause 1, I cannot see how the intention of the Government could have been more clearly expressed than by enacting that the execution of a judgment is to be confined strictly to that particular class and description of property upon which a distress can at the present time be levied, for the clause expressly provides it shall not be executed "in any other manner." And if the right hon. Gentleman could suggest any language which will more expressly exclude from the operation of this Bill any other goods, I am sure the Government would be very grateful. It is not intended to give any new remedy, but simply to alter the machinery by which the remedy is obtained. In pointing out the complexity of the settlement of 1836, and the difficulty of dealing with all the various points involved, the right hon. Gentleman has very sufficiently answered the speech of the Member for East Essex, who seemed to think the Government to blame for having dealt with only one part of the question. The right hon. Gentleman is frank enough to say that he looks in the near future to an attempt on the part of the Government to grapple with the whole question. His great objection to this Bill is founded on the fact that he thinks it might prejudice a more comprehensive measure; but the House will probably conclude that his apprehensions in this respect are extremely exagge-

rated. Indeed, we find a question likely to be prejudiced in a different direction by the state of feeling which has grown up in some parts of the country. The Government think it is necessary for a proper consideration of the tithe question as a whole to make it clear to the country at large that tithe is to be recoverable by the ordinary legal machinery. I claim for this measure, to which no one has attributed an enormous importance, that it will clear the ground for a fairer and juster consideration of the whole question when Parliament comes to deal with it on a future occasion. It is impossible in discussing this question to avoid some reference to the tithe agitation in Wales, although this is not exclusively, nor even mainly, a Welsh question. The right hon. Gentleman has deprecated what he called anything like sneers at Welsh Nonconformity. I think it is only right to say that, while I for my own part should be very sorry to embitter the discussion by sneering at any body of religionists in Her Majesty's dominions, and indeed, I recognize the great self-sacrifice and earnest piety which distinguish the Welsh Nonconformists, yet it is obvious that the aggressive attitude of Welsh Nonconformity has provoked many of those unfortunate social symptoms in the Principality to which reference has been made. I am quite certain that if the Nonconformists of Wales would set the Churchmen the good example of abstaining from violent language, they would contribute largely to a happier state of things. I do not suppose that the right hon. Gentleman understands the Welsh language, but if he would get some one to translate for him certain articles in the Welsh papers, he would find they contained language which would perfectly account for the violent refusal of the legal obligation to pay tithe by a part of the Welsh population. It is indeed impossible to separate the propaganda of the Welsh Nonconformist papers from the disturbances which have recently occurred in what used to be the most law-abiding part of Her Majesty's dominions. And it is a consequence of that unfortunate state of things which has grown up during the last few years that the Government have brought in this Bill, as a preliminary to more extended legislation on the subject. The right hon. Gentleman has quoted a

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passage from a speech delivered by the Prime Minister last year in the House of Lords. I do not care to rely on quotations unless I have the context before me, and not having that speech here, I am unable to say how far that passage may have been modified by subsequent sentences. The right hon. Gentleman has attributed to Lord Salisbury the very pronounced opinion that a tenant is to be distrained upon for a debt which is not his own, but he (the right hon. Gentleman) immediately afterwards went on to lay down the doctrine that the charge which has to be satisfied, either by distress or execution, is a charge on the produce of the land, and surely that can only be levied in the first instance upon the occupier of the land. If the tithe is to remain a charge upon the occupier of the land, I do not see how we can reach the produce in the hands of any one except the person to whom that produce belongs. If the right hon. Gentleman accepts his own definition of tithes, he cannot be in a position to affirm that the tenant is distressed for a debt which is not his own. I have been much interested by the speech of the hon. Member for Eye. I think it was a speech of very rare candour. The hon. Member for Eye said that tithe was a burden on the nation because, if there was no tithe, the nation might be in a position to levy a much heavier land tax. That is at least a novel proposition which the hon. Member has contributed to the discussion of that question. The speech of the hon. Member for Monmouthshire is hardly characterized by the same degree of candour as that of the hon. Member for Eye. The hon. Member for Monmouthshire has endeavoured to draw a distinction between property in tithes and other property, which he seems to hint would justify persons liable to tithe in refusing to pay it. Would the hon. Gentleman be prepared to advise any person liable to the payment of tithe that he is in a position to refuse payment of it because it is a property that could not be recovered at law? If he is not prepared to do that, it is hardly candid in him to use language which when read out of doors might be interpreted to mean that persons may be justified in refusing payment of tithe, whereas they would not be justified in

refusing to discharge other legal obligations. The hon. Member has talked in familiar language of the tithe-payer protesting against a bad system. I myself am far from attributing the resistance to tithe entirely to mercenary motives. No doubt there is much of honest conviction mixed up with it; but I think it is unbecoming in a Member of this House who is credited with some knowledge of the law to insinuate that there is such a difference between property in tithe and other property as might seem to justify resistance on the part of those who are liable to tithe to the payment of their just legal obligations. The hon. Member divided tenants into two classes—those who are willing to pay tithes and those who are unwilling; and he asked for which class is this Bill intended. Well, my answer is that the Bill is not intended for either the one class or the other. It is not a Bill levelled at any one particular class of persons in any particular part of the country. It is intended to be general in its application. It will not affect those who willingly recognize their liability, and if it in any way impairs the power of the resistance which some persons at present offer to the just demand of the law, it comes merely as a supplement to supply a defect in the machinery of the law, and it will not alter the law itself. I desire, before sitting down, to repeat that there is no intention by this measure to prejudice any question as to property in tithe, and no intention to alter the remedy for the non-payment of tithe. It is a Bill merely to give a more practicable and useful machinery for the enforcement of legal obligations; and from that point of view I believe that it will command the confidence of the majority of this House, and give satisfaction to the people of this country.

*MR. STUART RENDEL (Montgomeryshire): In spite of the lateness of the hour, and of the fact that right hon. Gentlemen on both Front Benches have just spoken, I ask the indulgence of the House to allow one more Member from Wales to take part in the Debate, because the Bill is undoubtedly specially aimed at the Principality, and is intended to deal with a condition of things which has arisen there in regard to the collection of the tithe. Now, Sir, in the course of this evening, some 25 Mem-

bers have addressed the House, and eight of them have been Representatives of Wales and Monmouthshire. Still, the subject is far from exhausted from a Welsh point of view. I will not, however, trespass long on the time of the House; I propose rather to deal with the Bill in only one aspect. I think the Government have fairly admitted that this is a measure of police. The object of the Bill is that the Government shall be able better to discharge its responsibility as an executive in the collection by creditors of their just debts. In that aspect of the case, I think the Government have proceeded upon very imperfect information. The Bill, as a measure of police, is, at the best, obsolete and out of date. It might have been that three or four years ago the condition of things in Wales with regard to the collection of tithes justified, in the minds of some persons, some such strengthening of the law. But the Government has failed to follow closely what has been going on in Wales with regard to that condition, and I submit that the course it is now taking, so far as from rendering the collection of the tithe more satisfactory to the executive, and assisting in the maintenance of law and order, will have directly the reverse effect. It was honestly believed in this country, and in this House, that the disturbances which undoubtedly took place in Wales were characteristic and fair examples of what the right hon. Gentleman who spoke from the Government Bench last called the "unfortunate disturbances which have disgraced the most peaceful and law-abiding part of the Kingdom." In point of fact, the disturbances were rather the result of accident than of malice or ill-will, and the Commissioner whom the Government sent down to the spot must have satisfied the Home Secretary that they were the result of misfortune rather than of deliberate intention, and that there was no ground for supposing that they would be renewed. In Montgomeryshire we find a desire on the part of a most respectable portion of the tenantry to take legitimate advantage of the state of the law in regard to the collection of the tithe, and by challenging distraint to express an opinion as to the appropriation of it. They are at the same time most desirous that their action should not be discredited by any

violence. Indeed, they take steps to prevent any breach of the law, and those steps have hitherto proved perfectly successful. The House has been informed how our Chief Constable Major Godfrey has over and over again found it possible to allow the protest desired by the tenant-farmers to be duly made without any serious inconvenience to the tithe owner, or anything like a breach of the peace. It is now long since any disturbance whatever characterised the collection of tithes, therefore we maintain that the Bill is entirely out of date and uncalled for. But what will be the actual result of passing the Bill? Those in Wales who have been struggling to allow a protest of a political character to take place in connection with the collection of tithes—a protest unaccompanied by any disturbance—have triumphed in the end. There is no doubt we have succeeded throughout the length and breadth of Wales. So much so that a few newspapers and persons of more lively views reproach us with having killed the tithe agitation in Wales. By attempting to pass this Bill the Government are practically renewing the whole difficulty. They are not in any way preventing those who would otherwise resist the collection of the tithes from resisting it: the Bill is utterly and entirely ineffective in this respect. But they are creating a new departure and challenging fresh disturbance. One who knows the state of Wales might almost think they have some sinister desire that disturbance should occur, that penalties should follow, and that the unfortunate Welsh people should in some way or other be put in the wrong. I appeal most earnestly to the Home Secretary and to the President of the Board of Trade—who, I am sure, are not aware of the actual state of Wales—to aid the Welsh in maintaining the existing order of things, under which no disturbance can occur, under which I think we may pledge ourselves no disturbance will occur; and not by a fresh departure, not by administering some mild dose of coercion, for this is nothing else, to re-kindle smouldering fires, and invite the people to begin in an unfortunate manner the struggle which we all know is in prospect for the disestablishment of the Church in Wales. All they have to do is to leave well alone. The case for the

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Bill disappeared long ago, and it is only fair to the Government to say that Members from Wales, I believe almost unanimously, will find it their first duty, not to the violent party, if such a party exists, not to the extreme party in Wales, but to the party of moderation, to the best of the Welsh Nationalist party, to resist the progress of this measure by every means in their power. We know perfectly well that the passing of the measure can have but a bad influence in Wales. We are not against property in tithes. We do not consider this is a very desirable moment to endeavour to strengthen that property, and we look with some suspicion at the attempt to strengthen it and give it a large percentage of value in view of the time, which is coming, when it will have to be commuted. But we wish to safeguard the property as much as any Members of the House. We have no designs upon it which are unrighteous in any form or way. Our sole quarrel with it lies in its present appropriation. We desire, however, that no new law shall be made which will undoubtedly have the effect of placing the greatest possible strain upon the maintenance of peace and order in Wales, where at present there is no real breach of it and no cause for any interference.

MR. BRUNNER (Cheshire, Northwich): I only desire to inform the Home Secretary what has been said in his absence by the Postmaster General. My right hon. Friend the Member for Wolverhampton very clearly expressed the objections that are felt on this side of the House to the Bill. They are mainly two. The one is that the Bill for the first time makes the tithe rent a charge upon the person, and the other is that the Bill makes the charge one upon personal property other than the produce of the land which has hitherto been chargeable. The Postmaster General has assured us that there is no power of imprisonment under the Bill. That is a repetition of what the Home Secretary said, namely, that the tithe is not to be a charge upon any person. But the Postmaster General went a step further: he told us that it is not to be a charge upon any personal property other than that which has been chargeable hitherto. What, therefore, remains of the Bill? Nothing whatever but an extra

step in the law. Instead of going direct to the farmer with a distraint if he refuses to pay, we are now to go through the County Court and approach him with an execution, a process by which the costs will be enormously increased.

MAJOR RASCH (Essex, S.E.): As an agricultural member, I wish to ask the Home Secretary one question, and that is, will the Government state definitely whether they are willing to bring in next Session a Bill for the compulsory redemption of tithe, because in the event of an unfavourable answer, although I am neither a blasphemer nor a plunderer of Churches, I shall be obliged either to follow the hon. Member for Saffron Walden (Mr. H. Gardner) into the Lobby, or walk out of the House like the hon. Member for Malden (Mr. C. Gray.)

The House divided:—Ayes 212; Noes 160. (Div. List, No. 228.)

Main Question put.

The House divided:—Ayes 208; Noes 151. (Div. List, No. 229.)

Bill read a second time, and committed for Tuesday next.

PASSENGER ACTS AMENDMENT BILL (LORDS.) (No. 327.)

Read a second time, and committed for Monday next.

STEAM TRAWLING (IRELAND) BILL. (No. 335.)

Read a second time, and committed for this day.

POST OFFICE SITES BILL. (No. 244.)

Order for Second Reading read.

MR. LAWSON (St. Pancras, W.): May I ask the Secretary to the Treasury whether there is any serious intention to take this Bill this Session. Might not the Order just as well be discharged?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I can assure the hon. Gentleman, that there is the most serious intention of going on with the Bill; I propose to put it down for Second Reading this day.

Second Reading deferred to tomorrow.

REVENUE [ALLOWANCES AND STAMP DUTY].

Resolution reported.

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of additional allowances and remuneration to clerks to Commissioners of Income Tax and Inhabited House Duties, in pursuance of any Act of the present Session to amend the Laws relating to the Customs and Inland Revenue, and for other purposes connected with the Public Revenue and Expenditure."

Resolution agreed to.

FRIENDLY SOCIETIES' ACT (1888)

AMENDMENT BILL (No. 193).

Lords Amendments considered.

Amendments, as far as the Amendment in page 1, line 15, agreed to.

Amendment proposed, in page 1, line 15, to leave out from the word "Act," to the end of the Clause, and insert the words—

"Such certificate shall be subject to revocation by the chief registrar, with the approval in each case of the Lords Commissioners of the Treasury, but shall remain in force until so revoked, and until notice of such revocation shall have been advertised in the *London Gazette*, and in some newspaper in general circulation in the county in which the registered office is situate, and also transmitted by a registered letter to the society at such registered office; and so long as the certificate is in force the society shall be subject to all the provisions and entitled to all the privileges of the Friendly Societies Acts as if it were a society within the definitions of section eight of the principal Act not receiving contributions by means of collectors at a greater distance than ten miles from the registered office,"

the next Amendment, read a second time.

Amendment proposed in line 1 of the Amendment, to leave out the word "such," and insert the words—

"In case of the refusal by the chief registrar to grant a certificate of exemption in any case, the society making the application may appeal to the Lords Commissioners of the Treasury, who are hereby empowered in such case to grant a certificate of exemption. Any."—(*Mr. Tomlinson*).

Question proposed, "That the word 'such' stand part of the Lords Amendment."

A LORD OF THE TREASURY (Sir HERBERT MAXWELL, Wigton): I hope my hon. Friend will not press this Amendment. I know the reasons why he has

put his Amendment on the Paper, and to a certain extent I sympathise with them; but I do not think it will further the interests involved in this Bill if the responsibility of the Chief Registrar is diminished in the way in which the hon. Member proposes. I hope he will not press the Amendment, but allow the Bill to go through.

MR. TOMLINSON (Preston): I know that it would be impossible for me to carry the Amendment in the face of the opposition of the Government, and therefore I will withdraw it at once.

Amendment to Lords Amendment, by leave, withdrawn.

Lords Amendment agreed to.

Subsequent Amendment agreed to.

ECCLESIASTICAL ASSESSMENTS (SCOTLAND) BILL (No. 105).

Order for Second Reading read, and discharged.

Bill withdrawn.

MOTION.

MERCHANT SHIPPING ACTS AMENDMENT BILL.

On Motion of Mr. Charles Hall, Bill to amend "The Merchant Shipping Act, 1854," and the Acts amending the same, ordered to be brought in by Mr. Charles Hall, Mr. Gainsford Bruce, Mr. Gully, Sir Charles Palmer, and Mr. Charles Wilson.

Bill presented, and read first time. [Bill 339.]

CANADIAN PACIFIC RAILWAY COMPANY (CONTRACT.)

Copy ordered—

"Of Treasury Minute, dated the 18th July, 1869, and of the Contract with the Canadian Pacific Railway Company, dated the 16th July, 1889, for the conveyance of Her Majesty's Mails, Troops, and Stores between Halifax or Quebec and Hong Kong, and for the hire and purchase of vessels as cruisers or transports."—(*Mr. Jackson*.)

Copy presented accordingly; to lie upon the Table, and to be printed [No. 263.]

House adjourned at a quarter after Twelve o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 8.] SIXTH VOLUME OF SESSION 1889. [JULY 27.

HOUSE OF LORDS,

Friday, 19th July, 1889.

JUVENILE OFFENDERS BILL [H.L.]

A Bill to amend the Summary Jurisdiction Acts with respect to the punishment of juvenile offenders—Was presented by the Earl Brownlow; read 1st; to be printed; and to be read 2nd on Monday next. (No. 170.)

DEBATES IN PARLIAMENT.

EARL CADOGAN: My Lords, I crave the indulgence of the House to allow me to make a Motion which I have been unable previously to give notice of my intention to bring before your Lordships, but which I will now take the opportunity of making. It is that a letter written by Mr. Walpole (the representative of *Hansard's Parliamentary Debates*) to the Marquess of Lothian, and dated 17th July, be printed and circulated among the Members of this House. My Lords, I beg to move to that effect.

Moved,

"That there be laid before this House, Letter addressed by Mr. Walpole (the representative of *Hansard's Debates*) to the Marquess of Lothian on the 17th of July, 1889"; agreed to. —(The Lord Privy Seal, *E. Cadogan*.)

RAILWAY ACCIDENTS.

*EARL DE LA WARR: My Lords, I rise to ask your Lordships' indulgence for a few moments that I may call the attention of the House to the recent Return of overtime work of railway servants; and to move that a copy of the official Report of the recent railway accident in Ireland may be laid upon the Table of the House. The Return

gives the number of instances of railway servants being on duty over 12 hours at a time, and also the number of instances of railway servants who, after having remained on duty for 12 hours, had returned to work before they had had eight hours rest. Perhaps I may be allowed to make a few observations upon this Return and the results which have been arrived at. Everybody knows how important and responsible the duties of railway servants are. It is necessary that they should be trustworthy and competent persons, and they ought not to be so employed that their mental and physical powers are overtaxed by long hours of labour. I will briefly put before your Lordships some of the most important facts to which the Return refers. I think it will generally appear to your Lordships that the strength of the strongest man must be very much tried by the length of time for which many railway servants have been employed in the discharge of their responsible duties. The Return relates to two months in the year. Those months were, I believe, selected by the railway companies themselves as showing best the average for the whole year. It appears from the Return that a large number both of signalmen and engine-drivers were employed for a very great number of hours. In two months there were 614,534 instances of railway servants of different kinds being employed overtime; 51,776 were instances of signalmen, and the Return likewise included a large number of engine-drivers. I mention these two instances because your Lordships must know that signalmen and engine-drivers are perhaps the men who have the most responsible work to do. I should like to bring under your Lordships' notice

one or two other instances in explanation of the matter which I am venturing to put before the House. Not only are there instances of signalmen and engine-drivers being over 12 hours at work, but in a considerable number of cases they have been on duty for 15, 16, 17, and even 18 hours at a time. My Lords, I have taken these instances from a very responsible class of servants, but the same thing applies also to other classes of railway servants. Your Lordships may readily understand that when a man has been employed for 12 consecutive hours it is almost impossible for him, either mentally or physically, to continue to discharge these responsible duties in the manner which is required of him. The fatigue and exhaustion consequent upon such a number of hours' work must, I think, entirely disable him from further discharging his duty properly. Then, my Lords, besides this class of overtime there is another kind of overtime referred to in the Return. It is shown that a number of these men return to their work after having been more than 12 hours on duty without having had eight hours rest. These facts almost speak for themselves and need very little comment from me. I desire, however, to add that it is furthest from my wish to interfere between railway companies and their servants; but I think it right that some steps should be taken, or means discovered, to put an end to the present state of things. My Lords, we know how ably the railways are managed in this country; but there is danger when we find companies allowing their servants with very responsible duties, or requiring their servants to work more than 12 and sometimes as many as 18 hours at a time. My Lords, I have had an opportunity of looking at this Return, and I find that many of the cases are perhaps exceptional; but it is impossible that the numbers to which I have referred can possibly be regarded as being all of them exceptional cases. But, my Lords, I think this matter not only concerns Railway Companies and railway servants, but that the public are greatly interested in it, and some steps should, I think, be taken, not only in the interests of the railway servants, but also in the interests of the public, to guard against what might result in most serious accidents. When a signalman or engine-driver is fatigued,

mentally and bodily, in a way which prevents him discharging properly his responsible duties, the lives of many persons are thereby endangered. And as regards the effects of these excessive hours of work upon the men themselves, I am assured on good authority (and it seems to be only what every one might expect to be the consequence of overwork especially involving a great stretch of mental attention, such as that to which a large number of railway servants are subjected), that it produces a listlessness which increases the risk of accidents; that it prevents the fulfilment of home and social and religious duties, and brings on premature infirmity. I do not ask your Lordships to legislate upon this question; but I think it is one which deserves the attention of Her Majesty's Government, and that some communication on the subject should be made to Railway Companies.

Moved, "That there be laid before this House, Copy of the official Report of the recent railway accident in Ireland."—(*The Earl De La Warr.*)

LORD STALBRIDGE: My Lords, this subject is undoubtedly an enormous one. It concerns the public at large, as my noble Friend has said, and not merely the Railway Companies and railway men themselves. But I trust your Lordships will not be led away by the idea that this overtime is in any way fostered by the Directors or Managers of Railway Companies in this country. Overtime on railways is, to a certain extent, absolutely necessary, and it is impossible to avoid it in all cases. Foggy weather interferes greatly with the running of trains in this country, and it is marvellous with how small a number of accidents the railway *employés* carry on their duties. Now the noble Lord has alluded to pressure being brought to bear upon the Railway Companies. I can assure your Lordships that Railway Directors and Managers are as anxious that overtime should be put a stop to as anybody, but it is a matter which is not always under their control. Last year I tried to prove that, from the very lowest point of view, it is distinctly the interest of Railway Directors to put a stop to overtime. In all cases of accidents investigated by the officers of the Board of Trade one of the points always inquired into is how long the servants of the railway have

Earl De La Warr

been on duty, and that fact being at once brought out throws a great responsibility on Railway Managers. These Returns do not, on the face of them, entirely bear out the construction which the noble Lord has put upon them. The actual percentage with regard to overtime is comparatively small, and most undoubtedly shows an improvement upon the Returns of last year. I must point out to your Lordships that in the months of September, 1887, and March, 1888, from the mass of figures dealt with and the absence of an analysis, a wrong impression may be formed as to the actual number of hours worked by railway servants. I may congratulate the noble Lord at having, by his demand for a Return last year, brought so much pressure to bear on Railway Companies that the Return is so much better this year. So far the noble Lord may be congratulated that the action he has taken in the matter has had a good effect. The tendency is to reduce overtime as far as possible, and the figures in most cases show a diminution. I should wish not to take individual cases; but, still, in some cases the overtime has been beneficial either to the *employés* or to the public. On the London and North Western Railway, in March, 1888, 413 men worked overtime. The number of instances prolonged over 12 hours was 42. That brings it down to a daily average of two men working overtime, or .39 per cent, as against 14 men working overtime daily in 1887, or 3.4 per cent. On the Manchester branch there were 28 instances during September, 1887, of men working 14 hours. One guard was on duty for 14 hours every day one week; he took this duty once every six weeks; and out of the 14 hours was calculated the time before he actually went on duty and the time after he really came off duty. Then there were cases where four signalmen worked 13 hours at Watford. The signalmen commence duty at 4.30 a.m., in order to let out the shunting engines, and finish at 6 p.m.; but the man on duty has nothing to do between half-past 4 and half-past 5 in the morning beyond that one operation of letting out the shunting engine. Then there is another class of cases where the men work extra hours in order to have freedom on Sundays. On the Chester and Holyhead line men are

relieved one hour earlier in order to enable them to attend a place of worship in the evening, and consequently the men taking their places have to work longer hours; but their duties are comparatively light on account of the small number of trains running on Sundays. Then your Lordships will understand that it is impossible to put a man into a signal box who has not gained the knowledge and necessary experience of that duty. It is absolutely impossible to take a man and place him in a signal box if he has no knowledge of the duty he is required to perform in that box. Then the engine-drivers—who are, of course, a very intelligent and important class of *employés*—are very deserving of consideration. I think, if there is one class of men more than another who are deserving of consideration in this respect, it is the intelligent class of men whom we have acting as engine-drivers. The object of the Directors and Managers of railways is to give them an ordinary rota of 10 hours' duty a day for six days a week, and anything over 60 hours a week is paid to them as time and a quarter. Your Lordships will doubtless understand that it is, of course, absolutely impossible to make exactly 10 hours each day. A man may on one day have two hours more than another, but if on the whole he has more than 60 hours per week that is overtime. Particularly stringent orders have lately been given to enginemmen that when they have been 15 consecutive hours on duty they are to report the fact at the first station they come to in order that relief may be telegraphed for. The enginemmen and firemen have also printed in red ink on their daily tickets a notice that—

“Whenever an enginemman or fireman has been over 15 hours on duty or has been sent out to work before having had an opportunity of having six hours' sleep, he is to explain the circumstances fully on the back of his ticket for the day.”

In four recent cases the excuses for not doing so have been disallowed as insufficient, and the men punished. That shows that the men are anxious to work overtime on account of the extra pay, and that the Company officials try to prevent the men making overtime. I am not blaming the men at all, but it cannot be said that the men are so exhausted, when in many cases they are

anxious to make overtime and get paid for it. The exigencies of railway work are such that the number of men for the maximum amount of work could not be kept. The necessities are so urgent in regard to carrying passengers and perishable goods in this country that in spite of the regular service of trains on the London and North-Western Railway, which is supposed to be ample to meet every emergency, in the month of March, 1888, they ran 2,230 special passenger and 10,832 special goods trains. That shows that the exigencies of the goods traffic of this country cannot be dealt with by private legislation. There must be a large staff of engines and other railway stock ready to be turned out at a moment's notice. When there is a great press of work it is absolutely unavoidable that there should be overtime in some cases, and that the 60 hours a week regulation for engineers and firemen cannot be rigidly adhered to. Then with regard to mileages, the distances covered by the engines on the London and North-Western Railway lines are over 66,000,000 miles per annum. The intelligence displayed by the railway *employés* in this country in working the traffic shows they are men fully able to safeguard their own interests. Yet they have not, do not, and are not likely to ask for any Government interference. They have able advocates in Parliament. The Amalgamated Society has endeavoured for some years to make out a case in reference to overwork, but has failed because the men would not support them. The vast majority of the railway servants are satisfied with the way in which their labours are recognized by the Directors and officials of the company. I assure your Lordships that the Railway Directors endeavour to lessen overtime in every way, and the fact that an annual Return is made does not in any way diminish their efforts. From every point of view it is their interest to lessen overtime. I see that a Bill has been introduced in another place which seeks to give the Board of Trade power to ask for additional Returns. My Lords, I think myself the Board of Trade knowing the circumstances in which Railway Companies are placed will not exercise that power and put the Companies to great expense, except when it is in their opinion necessary to do so, and I feel

Lord Stalbridge

that the Railway Companies would be quite safe in the hands of the Board of Trade.

*LORD BALFOUR: My Lords, it is necessary I should say a word or two with regard to the whole subject of overtime which the noble Lord has brought before the House. If I understand his speech aright, the noble Lord who introduced the subject stated that the last Returns were for the months of September, 1887, and March, 1888, and that those months had been selected for the convenience of the Railway Companies. The previous Returns were for July, 1886, and January, 1887. It was felt by everybody that the months of July and January were not a fair representation of the average work of the railways, and when the second Returns were asked for, the months of March and September were chosen as giving the fairest average on the part of the public, the railway servants, and the Railway Companies. As the noble Lord opposite has said, there is a Bill pending before Parliament in which the Board of Trade asks for power to call for Returns on those matters from time to time. I would prefer to avoid any attempt at discussing that proposal until it comes regularly before your Lordships, and I will only add that I do not think the Railway Companies would be any the worse for this subject being agitated from time to time either in this House or before the Board of Trade. I cordially recognize that great efforts have been made on the part of the Directors and Managers of the great majority of the Railway Companies to diminish overtime. It is not for the interests of Railway Companies that overtime should be worked, because they have to pay a large additional sum for it, but it is, at the same time, very difficult to diminish it. But it is a matter of great importance that the subject should not be lost sight of, but continual efforts should be made on the part of Railway Companies, as far as possible, to reduce the hours of work of their *employés* within reasonable limits. My noble Friend has presented the case in a way which is likely to give your Lordships an impression, and to lead to the belief, that overtime is going on to a much greater extent than is really the case. He produced cases of a certain number of engine-drivers and signalmen who had

been on duty for a large number of consecutive hours. Any one who knows the facts knows that the hours of signalmen have been very largely reduced in recent years. With regard to the engine-drivers, it does not necessarily follow that when a man is put down as on duty for 12, 14, or 16 hours he was upon his engine all that time. For instance, suppose a driver takes an excursion train to Brighton and back, waiting eight hours at Brighton. During the whole of the time he is absent from London the driver would be technically on duty perhaps for 12 or 14 hours, although during a great part of that time he would not, in fact, be upon his engine. I do not say that is always the case with overtime; for instance, it does not touch the case of men working goods engines. The case of engine-drivers of goods train is a different and a difficult one, because they are often delayed on their journeys from causes beyond control. I recognize that a good deal has been done in the way of giving them relief as far as possible; and I feel confident that if the attention of Railway Director was brought to bear upon this point they would endeavour to do more in the future even than they had done in the past. In case it should be thought I have not spoken with sufficient sympathy in this matter I say, without any reserve, that if it can be made out that railway servants work 12, 14, or 16 hours and were really at work upon an engine or otherwise all that time, that was a state of matters which certainly called loudly for remedy; but to say that every driver or fireman who is returned as having been 12, 14, or 16 hours at work has been actually during that long period on the engine is to draw an entirely inaccurate conclusion. That is by no means necessarily the fact. Then upon the point of men returning to work after a very short interval, I think, perhaps, there is some ground for complaint in that respect. But there, again, there is a necessity for a certain amount of caution. Suppose the case of a man waiting to take a goods train from one point to another, and that goods train is delayed for ten hours beyond the time that it should have arrived at its destination. The man would not, to use the ordinary phrase, have turned a single wheel during that

time. At the same time it would be obviously unfair to start him on a journey after he had been waiting at "attention" during that time, but it would be no great hardship upon him to give him a short rest of six or seven hours and then send him on a journey. Therefore, I say, those who read these returns ought to do so with caution, and see that they do not gather a false impression from them. There is no power on the part of the Board of Trade to compel a certain number, and a certain number only, of hours of labour, and to make a suggestion of that kind would be to open an extremely large question. We hear suggestions in these days for limiting the hours of labour to eight or nine hours. That would be an interference with adult male labour which Parliament has never yet sanctioned and a step which it would be very slow to take. It is not possible to lay down by direct legislation that railway men shall never work more than a certain number of hours, because it is absolutely impossible to foresee emergencies and contingencies which may from time to time arise. But I do say it is most desirable that the public should know what is being done, and that they should bring to bear the pressure of their opinion on the directors and managers of railway companies to abolish overtime as far as possible. That is being done now more than ever it was before, and I believe that if the matter be brought before the public from time to time more will be done in the future than has been done in the past. One of the difficulties of railway companies is the wishes and desires of their servants themselves in the matter. I have in my mind a correspondence which took place with the London, Brighton, and South Coast Railway Company, and in that correspondence it was distinctly put forward that in the case of getting men to work fog-signals the company had the greatest possible difficulty in getting their servants to stay off work the proper number of hours, because they were so anxious to earn the large pay with which such work was rewarded. I do not say that is any real excuse for permitting men to work excessively long hours. I only mention it as one of the difficulties with which Railway Companies have to contend. With regard to

the question of the consequent danger to the travelling public, in reading the reports sent in by Inspectors of the Board of Trade, I have been struck with this fact, that the railway servants who are concerned in accidents are not by any means always those who have been long hours at work. Taking the returns of accidents between 1st June, 1888, and May 31, 1889, the number of casualties inquired into was 86, and deducting from that number 23, which were due to broken axles, trains running off the line, and defects in the permanent way, which of course had nothing to do with the question, there remain 63, which could, by any possibility, be said to have been caused by forgetfulness or negligence on the part of the railway servants. The number of individual servants concerned was 87; the number of those who had been on duty for less than eight hours at the time of the accident was 53, and above eight hours 34. There were therefore concerned in accidents a large number of *employees* who had been a short time on duty than those who had been at work a long time. I do not put that forward as by any means conclusive upon the subject. We do not know how many railway servants are generally within the eight hours limit, and how many exceed it, and to make this comparison really of use we would require to know that, and then find out the relative proportions; but I submit it is not quite fair to attribute a large number of the casualties which take place to the fact that the servants have been a very long time at work. I can assure the House that the subject has been from time to time engaging the anxious consideration of the Board of Trade, and that every legitimate pressure will be brought to bear on the Railway Companies to do what they can to diminish overtime. My Lords, I deprecate asking Parliament to lay down a fixed rule for this reason, if for no other, that if you take the power of absolute regulation, you in general must also take the responsibility for whatever may occur. The policy of this country has always been to bring pressure to bear upon those who manage the railway companies, but at the same time to leave to them the power and with it the responsibility for what may occur. My Lords, there is only one other point upon

Lord Balfour

which it is necessary for me to say anything, and that is with regard to the recent lamentable disaster in Ireland. I cannot recall any railway accident which has happened in this country more pathetic in its circumstances, or more disastrous in its results. However, as the inquiry has not yet been completed, I will suggest to the noble Lord that he should withdraw his Motion for the Report at the present, and I will undertake that, as soon as the inquiry is completed, it shall be communicated to both this and the other House of Parliament as soon as that can fairly be done.

***LORD NORTON:** The noble Lord has very truly said that overtime is more or less necessary sometimes. What is really meant by overtime is rather overwork—not men working occasionally beyond the regulation hours, but men regularly working beyond the point to which they can safely and properly work. The noble Lord who has just sat down said that few accidents occur from men working overtime, and with regard to engine drivers, it is difficult to lay down exactly what the duration of their work in all cases should be, or to prevent their working overtime on occasion. But take the case of signalmen's work. I would ask is overtime necessary with them? No. The duration of signalmen's work can be, and is, absolutely regulated. I rather think my noble Friend the Parliamentary Secretary to the Board of Trade was wrong in stating that the number of hours for signalmen have been reduced. Formerly there used to be three relays in the 24 hours, giving eight hours' work to each, but now there are by regulation only two, and I contend that a stretch of 12 hours of such work is more than an average man can stand. These men are in the signal-box for twelve hours at a stretch; their food is brought to them; they have no exercise, nor any relaxation from the constant tension they are under. I say that twelve hours of that work is more than any man can stand. I have known cases of signalmen's health breaking down under the strain. I know the case of one near my own place on the Midland Railway, who has broken down under the strain of that work, and is now a drivelling idiot; and I should think

there are other such cases. It is true that accidents do not often occur from that cause, but if a man's brain and health give way under the strain he is removed from his post. I do not know whether, when men break down, the Railway Companies provide for them. The question is, whether the actual regulations of Railway Companies for the work of signalmen are such as to make it absolutely impossible for the men engaged in the work to stand it without risk to themselves, and, therefore, danger to the public. That sort of overwork under actual regulations Parliament has interfered with in the case of factories. Too long periods of work had been made illegal by Act of Parliament, and ought to be made just as illegal in the case of Railway Companies as in regard to other kinds of employment. It has been stated that Railway Companies have amended their rules, in consequence of public attention being called to them. I hope that has been done, and, if so, it is an encouragement to us to call more attention to the matter. But if it be the case that under such a rule as I have alluded to, signalmen throughout the country are engaged to work twelve hours out of every twenty-four, if the Railway Companies will not consent to alter such rules, Parliament ought to interpose.

LORD BALFOUR: My Lords, the noble Earl De La Warr, before leaving the House, authorized me to state that he wished to withdraw the Motion. I should like to add that another reason why I should be sorry to promise to present the return as to the railway accident in Ireland at any definite time, is because some of the men connected with it have been arraigned on a criminal charge. But as soon as possible consistently with the interests of justice the Report of the Government Inspector and the evidence on which it is founded shall be laid upon the Table of the House. I only desire to say one word more. The noble Lord behind me is, I think, misinformed when he states that there has been an increase of signalmen's duty to 12 hours. I believe that statement was made on inaccurate information.

LORD STALBRIDGE: My Lords, I will only add that if the instance given

by the noble Earl of a man breaking down from the nature of the work were general, such a thing would prevent any demand for the office of signalman, but I can say that there is never any lack of men applying for such berths. If such a measure as the noble Earl suggests were passed, there would, perhaps, be no anxiety on the part of the men to undertake the work. What the noble Lord has said is perfectly true with regard to the duties of signalmen on what is called the Brighton road. There a man has nothing to do except to work the block system and to signal the trains on his dial. By the interlocking system, nowadays, it is almost impossible for a man to make a mistake, and all that is expected of him is attention and sobriety. That obviates what has been spoken of as the state of tension the men are under. In places where the signalling is more difficult and complicated there are three shifts in the 24 hours. I do not know whether any noble Lords have heard of other cases of drivelling idiots and prematurely broken-down old men such as the noble Lord opposite has referred to, but I do not know why he should ask for compulsory measures to be taken in this matter merely because he knows of one such case. There is never any want of men for the signalling boxes; naturally they are not unwilling to be placed in so important a post.

Motion (by leave of the House) withdrawn.

ADVERTISEMENT RATING BILL

(No. 167.)

House in Committee (on Re-commitment) (according to order): Further amendments made: The Report thereof to be received on Monday next; and Bill to be printed as amended. (No. 171.)

WINCHESTER BURGESSES (DISQUALIFICATION REMOVAL BILL (No. 137.)

House in Committee (on Re-commitment) (according to order): Bill reported without amendment, and to be read 3^a on Tuesday next.

MARRIAGES (BASUTOLAND, &c.) BILL (No. 155.)

WINDWARD ISLANDS APPEAL COURT BILL (No. 155.)

House in Committee (according to order): Bills reported without amend-

thousands. The lower and middle classes are in great distress. Sufferers are about 70,000 to 100,000. If you doubt, special inquiry is solicited. Government help is urgently required. Whole estates are full of remission of revenue, relief works, gratuitous relief kitchens, distribution of seeds. Tuccavi on favourable terms is earnestly prayed for."

and, whether he can inform the House as to the steps taken by the Lieutenant Governor on receipt of this telegram, and also state the present condition of the people of Angool?

SIR J. GORST: No Sir; no official information has been received by the Secretary of State in reference to the telegram mentioned in the question. The Secretary of State has learned, apparently from the same source from which the hon. Member appears to have derived his information, that orders have already been given for the distribution of relief by the Lieutenant Governor of Bengal.

DISTRESS IN THE 24 PEGUNNAHS, BENGAL—STATEMENT BY MR. C. W. BOLTON.

MR. BRADLAUGH: I beg to ask the Under Secretary of State for India (1) whether the Secretary of State is aware that Mr. C. W. Bolton, collector of the 24 Pegunnahs, Bengal, in reference to the distress now existing in the district, has stated that "the proper policy" to adopt in times of scarcity is to refuse aid, "in any shape," but that of relief works, except in case of actual famine; (2) whether Mr. Bolton, in his Report circulated by the Government of Bengal, stated—

"I have, myself, no doubt that a few of the cultivators have great difficulty at present in obtaining a fair supply of food. There are doubtless a few cases, in some villages, in which that difficulty exists, but the men can easily obtain work; and, if really pressed, will no doubt seek it. For the labourers, also, there is and has been no want of work, as will be explained further on. The infirm who subsist on the charity of relatives or neighbours, are certainly the class which is suffering most at present."

(3) whether the daily wage paid on a relief work is only enough to support the labourer to whom it is paid; and, therefore, does not leave anything to be sent by him to the infirm or weakly members of a family who may be entirely dependent upon the head of the family; (4) whether the policy, which the

Mr. Bradlaugh

Governor of Madras has carried out in Ganjam, has received the sanction of the Secretary of State, and whether that policy has made provision for the relief of the very classes whom Mr. Bolton has declared to be beyond the need of State assistance, until deaths from starvation have occurred; and (5) whether the Secretary of State will direct the attention of the Government of India to the need for impressing upon subordinate Governments the desirability of uniformity in methods and extent of relief after the manner adopted by the Government of Madras, at an even earlier period of the distress, i.e., before any appreciable number of the people become "emaciated," than was the case in Ganjam?

SIR J. GORST: No Report from Mr. Bolton has been received, and the Secretary of State cannot, therefore, express any opinion upon the first two paragraphs of the question. The third paragraph may be answered generally in the affirmative, though it should be added that members of a family unable to work receive relief. The policy of the Madras Government at Ganjam has received the approbation of the Secretary of State. In respect to the last paragraph, the Secretary of State does not consider it necessary to give instructions to the Authorities in India other than those contained in the Famine Codes. These have been drawn up with great care as prescribing the best mode of alleviating distress, and interference with their procedure would be likely to increase the calamity of famine and cause greater loss of life.

FLOODS IN THE LEA VALLEY.

MR. ABEL SMITH (Hertfordshire, E.): I beg to ask the Secretary of State for War whether his attention has been called to certain floods which have occurred recently in the Lea Valley District, in which the Government Gunpowder Factory at Waltham Abbey is situate, resulting in great injury to the property of the neighbouring farmers; whether he is aware that those floods are alleged to have been caused through neglect in opening certain weirs, so as to allow the water to flow freely, or in clearing out the channel of the River Lea where it passes through the Powder Factory, so as to provide a channel for overflow water from the Lea navigation

in times of flood; whether he has received communications on behalf of the farmers in question, suggesting that the Government officers are really responsible for the neglect of the weirkeepers, and proposing that inquiries should be instituted by independent engineers, to be appointed with the approval of the sufferers by these floods; and whether such inquiries have been made, and with what result?

THE FINANCIAL SECRETARY FOR WAR (Mr. BRODRICK, Surrey, Guildford): I cannot add much to the reply made yesterday to the right hon. Baronet the Member for Epping. Floods do occur from time to time in the low-lying districts around Waltham Abbey, and in May certain lands were flooded owing to a greater quantity of water coming through the Conservancy gates at King's Weir than could escape by the channel of the old River Lea. There does not appear to have been delay on the part of the weirkeepers in opening the gates at the War Department mill. As mentioned yesterday, the Conservators appear to have insufficient powers to bring about a combination of the riparian owners with a view to taking steps to prevent flooding.

MR. BRADLAUGH: Has not the War Office disputed for years the right of the Lea Conservators to interfere with any of this water?

MR. BRODRICK: I am afraid that I cannot answer that question.

THE ROYAL COMMISSION ON CIVIL ESTABLISHMENTS.

MR. SPENCER BALFOUR (Burnley): I beg to ask the Secretary to the Treasury when the evidence laid before the Royal Commissioners on Civil Establishments, to which the Commissioners refer in their third Report, will be published; and whether further changes in the Inland Revenue Department will be postponed until such evidence has been submitted to Parliament?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I understand that the evidence in question will be laid upon the Table in a day or two. The only alterations that I am aware of as now in progress at Somerset House are those referred to in the question of the hon. Member for North-West Lanark to which my right hon.

Friend, the First Lord of the Treasury, is about to reply.

USE OF ROBURITE IN COAL MINES.

MR. SPENCER BALFOUR: I beg to ask the Secretary of State for the Home Department if his attention has been directed to the growing use in Lancashire coal mines of the explosive called "roburite"; if he is aware that the Miners' National Conference, held in Manchester on the 4th July, 1889, condemned the use of roburite as injurious to the health of the miners; and whether, if any doubt exists on this point, he will direct an inquiry into the matter, and will give the men an opportunity of producing scientific and other evidence in support of their view?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Yes, Sir; I am informed by the Inspector that there is a growing use of roburite in the Lancashire collieries. It is a useful explosive and practically safe for use in fiery mines. I gather from newspaper reports that its use has been condemned by miners as injurious to health. An inquiry was recently held into this matter by a committee of experts on which the Miners' Federation was represented, and their conclusion was that, if proper care is exercised by managers, shot-firers, and colliers, the use of roburite will not add to the harmful conditions under which the miner works. The Inspector informs me that means are now being devised for removing the fumes by ventilation before persons re-enter, and for keeping persons out of the return air, and under these circumstances he does not consider any further inquiry, at any rate at present, desirable.

INDIA—CORRUPT MAGISTRATES AND THEIR APPOINTMENTS.

DR. CAMERON (Glasgow, College): I beg to ask the Under Secretary of State for India whether he can yet inform the House if it is true, as stated in the Calcutta correspondence of the *Times*, of the 24th ultimo, and repeated in the Calcutta telegram in the *Times* of the 1st instant, that the High Court of Bombay has pronounced a judgment affirming that the corrupt mamludars and magistrates are by the operation of 49 Geo. 3, c. 126, "disabled persons in

law to all intents and purposes to have or enjoy the offices or any part of them," for which they swore that they paid bribes; and whether it is true, as stated in the Calcutta correspondence of the *Times* of the 15th instant, that Mr. Justice Jardine "has officially reported to the Chief Justice the illegal re-appointment, as mamlutdars, of seven men, guilty, on their own confession, of bribery and corruption."

SIR J. GORST: The judgment referred to has now arrived in this country; and I am bound to say, from a perusal of it, that I cannot think the description given of it by the *Times'* Correspondent is accurate. No judgment is pronounced to the effect mentioned in the question; but there is an expression of opinion on the part of Mr. Justice Jardine that the statute mentioned does apply to such officers as those referred to. With reference to the second inquiry, the report of Mr. Justice Jardine has not been received in this country, and the Secretary of State cannot express an opinion until he has seen it.

DR. CAMERON: As this matter has really become a public scandal and disgrace in India, I beg to give notice that at the end of the questions I will move the adjournment of the House in order to call attention to the subject.

COLONEL SLADE'S EQUIPMENT.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War if he can now state the date at which Major Mayne's valise equipment was submitted to the Equipment Committee, and the date at which Colonel Slade, who has since patented a similar equipment, ceased to be a member of the Committee appointed to decide judicially upon such inventions; whether he can now confirm his statement that

"Colonel Slade ceased to be a member of the Equipment Committee long before the valises in question were submitted to it;"

whether it is usual to allow members of such Committees to themselves patent inventions similar to those which they have had special opportunities of examining as members of such Committees; whether it is usual to give contracts under such circumstances to members of such Committees on their retirement, and while they are still actually members of other influential

War Office Committees, the War Office regulations forbidding officials even to become shareholders in contracting firms; whether it is usual to give contracts to Colonels who have no factories and, as the Director of Contracts states was the case in this instance, without even being prepared to furnish "the particulars usually given to the trade in the shape of patterns and specifications;" whether, on its being discovered, after the first set of the equipment had been delivered, that it bore the name of Ross as maker, Colonel Slade gave the War Office a promise that no more should be made by that firm; whether Messrs. Ross have admitted in evidence that, in spite of this promise, the whole of the remaining 999 sets, and the valises besides, were made by them for Colonel Slade; what names were on these articles so manufactured; what notice was taken of this conduct of Colonel Slade, or whether he is still a member of an important War Office Committee and these goods have been accepted by the War Office; whether two large additional contracts have since been given to his admitted partner in this patent, Colonel Wallace, and at a price considerably higher, by about 25 per cent, than that given on this first and smaller order, 25s. 6d. as against 20s. 8½d., the price being, as the Director of Contracts has stated in evidence, "more than I have ever paid for any set of equipment;" would he state what was his authority for saying that Colonels Slade and Wallace were "not in partnership;" and whether the pouches of this equipment with which the British Army is now about to be supplied will be unfit for the new and much smaller cartridge of the new magazine rifle.

*MR. BRODRICK: At least half of the long series of questions put by my hon. Friend contain debateable matter, and without intending any discourtesy to him, I must reserve my answer until that debate arises. As regards the questions of facts, Major Mayne's valise equipment came before the Equipment Committee in May, 1883, and Colonel Slade ceased to be a Member of the Committee in November, 1886, having been appointed to it in November, 1884. Colonel Slade did promise that Messrs. Ross should not be employed, but nevertheless it was found that that firm

Dr. Cameron

had made the remainder of the thousand sets, though the name on the articles was that of "Slade" only. The goods were accepted as they were immediately required. Colonel Slade is still a Member of the Small Arms Committee, and the circumstances above-mentioned do not preclude the Secretary of State from availing himself of his experience in that capacity. The question of subsequent contracts for the Slade equipment has been fully discussed, and I have nothing to add to what has already been said. When the ammunition issued to the Army is changed the pouches will be changed also. In the meantime the troops must be kept provided with pouches for the existing ammunition.

MR. HANBURY: Am I to understand that Colonel Slade did send in certain sets which were made by Messrs. Ross, although a faithful promise had been given that no more should be sent in?

*MR. BRODRICK: The equipments were required, and they were sent in with the name of Colonel Slade only upon them. They were found by the Inspector to be fully up to the stipulations of the contract, and they were required for the use of the troops at once. Every care is taken that Messrs. Ross shall not be further employed.

MR. HANBURY: I am not talking of Messrs. Ross, but of a gross breach of faith by a War Office official.

*MR. SPEAKER: Order, order!

MR. HANBURY: Perhaps I may be allowed to say that a promise faithfully given to the War Office was deliberately broken.

*MR. SPEAKER: The hon. Gentleman is making an assumption in putting a question which he has no right to make.

MR. HANBURY: The fact of the promise is stated in a memorandum issued by the Director of Contracts which I am ready to read, if necessary. There can be no doubt about the facts, which are admitted.

*MR. SPEAKER: Order, order!

TEARING DOWN PLACARDS.

MR. SEXTON (Belfast, W.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, within the past few days,

at Caher, in the County of Tipperary, Constables Hollingsworth and Holohan, of the Irish Constabulary, tore down placards announcing a collection for a testimonial to the Member for the Division, the first-named constable tearing down the placards first posted, including one posted on a private house with permission of the owner, and the last-named constable tearing down the placards posted up by the committee after those first posted had been destroyed by Constable Hollingsworth; why these constables tore the placards down; and under what legal power, and on what instruction they so acted.

*THE CHIEF SECRETARY FOR IRELAND (MR. A. J. BALFOUR, Manchester, E.): The placards referred to were not torn down from any private house unless a gateway commonly used for posting notices of every sort can be so described. The constables acted by direction of the sergeant. They tore the placards down because in the sergeant's opinion the placards contained objectionable matter. The objectionable matter appears to have consisted partly in some uncomplimentary references to myself, and as these, so far as I can see, can do no harm to anyone, they do not, in my judgment, supply a sufficient justification for the action of the police. But there were also words tending to bring the law into contempt, and these the police very properly thought rendered the placard illegal.

MR. SEXTON: Were not the objectionable words those which expressed the hope that persons of Nationalist sympathies, who concurred in the action of the Committee, would honour and esteem the Chief Secretary's "criminals?"

MR. A. J. BALFOUR: Yes; and my impression is that doing honour to criminals is bringing the law into contempt.

MR. SEXTON: Are the police in this district authorized to tear down placards in which Irish feelings of regard and esteem for Mr. J. O'Connor, Member of Parliament for that division, who has been convicted under the Coercion Act, are expressed?

MR. A. J. BALFOUR: No, Sir; they may express as much esteem for any gentleman as they like, but that does not cover the words in the placard.

NUISANCE AT HOLYWOOD.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether repeated representations by the Holywood Town Commissioners to the Belfast Board of Guardians and the Irish Local Government Board, as to an intolerable nuisance on the Holywood foreshore, have, up to the present, proved ineffectual; and what will be done to abate the nuisance?

MR. A. J. BALFOUR: Representations of the nature mentioned have been made in regard to the existence of a nuisance arising from decaying sea-weed. The Belfast Guardians at their meeting on the 16th instant directed their solicitor to proceed against the owner of the foreshore for the purpose of having the nuisance abated.

THE CASE OF JAMES COYLE.

SIR JOHN DORINGTON (Gloucestershire, Tewkesbury): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of James Coyle, convicted at the London Sessions on 4th June of robbery at the Victoria Station, against whom a previous conviction and sentence in 1879 of seven years' penal servitude and seven years' police supervision was then proved to the satisfaction of a jury by the evidence of a warder from Millbank, who had examined him with the official description for the marks and scars the person so convicted bore; whether it was subsequently proved, by police evidence, that Coyle was convicted for a minor offence in 1882, and consequently could not be the person identified by the warder as having been convicted in 1879; and, whether he has come to any decision as to giving the French system, under which mistakes are practically impossible, a trial in this country?

MR. MATTHEWS: Yes, Sir; the facts are as stated. I have received a Report from the Prison Commissioners, who inform me that if Coyle had been compared carefully with the marks and description of Hart, whom he was alleged to be, and particularly if Coyle had denied that he was Hart when at the Police Court, the mistake would never have occurred. In this case it was not the system that was at fault, but the inaccuracy of the warder who

compared Coyle with the description of Hart. The descriptions in this case show that two only of the marks agree, while six differed. The question of giving the French system a trial in this country has been under the consideration of the Police and Prison Authorities. There are many difficulties in the way of adopting it in this country, and it is doubtful whether equally good results are not obtained under our present system. It is also a question whether legislation would not be required to carry it out effectually. The matter, however, is not being lost sight of.

THE POSTMASTERSHIP OF KNOCKANEY.

MR. WILLIAM ABRAHAM (Limerick): I beg to ask the Postmaster General if he could explain why Mr. John Guerin has been deprived of the position of Postmaster of Knockaney (Limerick County), which he has filled for six years?

THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): In reply to the Hon. Member, I have to state that Mr. John Guerin has been deprived of his position of Postmaster for taking a prominent part in political matters in spite not only of a general prohibition on the subject but of a special caution, which I caused to be given him less than 18 months ago.

MR. W. ABRAHAM: Is the right hon. Gentleman aware that Mr. Guerin has been a member of the National League since its conception in 1892, and that the notice sent to him reads as follows:—

"The Postmaster General having been made aware of your connection with the National League, you are hereby required to say why you should not be deprived of your position as Postmaster?"

MR. RAIKES: I am not aware at what time Mr. Guerin became a member of the National League; but, so far as the letter is concerned, it simply stated a fact.

TREATMENT OF ABORIGINES IN WESTERN AUSTRALIA.

MR. SAMUEL SMITH (Flintshire): I beg to ask the Under Secretary of State for the Colonies whether his attention has been drawn to the following statement made by Mr. Samuel Macleod, a member of a party of Victorians

miners, who recently travelled to the newly-discovered Egina goldfield, in the north of Western Australia:—

"On arriving at Roeburn, we saw gangs of unfortunate aborigines chained to wheelbarrows with bullock chains, making roads; others had the chains rolled round their neck and naked bodies. The effect of the chains can be imagined in a climate where the stones get so hot that they cannot be handled";

and whether such treatment of the aborigines occurs with the knowledge and sanction of the Governor of the Colony?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de Worms, Liverpool, East Toxteth): I have no information as to the truth of the statement quoted by the hon. Member. Under the Local Act of 1887, any prisoner (not only aborigines) may be worked on the roads beyond the precincts of his prison, and, in order to prevent escape, may be kept at such work in chains or otherwise secured as may be deemed expedient. The Governor has shown zeal in checking abuses against the aborigines, and describes his policy towards them as "one of vigilant protection of the aboriginal race against all oppression and wrong-doing."

THE SIXPENNY STAMP DUTY.

MR. STAVELEY HILL (Staffordshire, Kingswinford): I beg to ask the Chancellor of the Exchequer whether it is intended, by Clause 15 of the Revenue Bill, to abolish the Sixpenny Stamp Duty, now payable on a contract for the purchase of land, and to substitute for such stamp an ad valorem duty upon such contracts?

THE CHANCELLOR OF THE EXCHEQUER (Mr. Goschen, St. George's, Hanover Square): There is no intention of imposing any additional burden.

BALLOON AND PARACHUTE EXHIBITIONS.

MR. LAWSON (St. Pancras, W.): I beg to ask the Secretary of State for the Home Department whether he is aware that a man named Lennox was killed in a balloon ascent connected with a parachute exhibition; whether there will be any inquiry other than a coroner's inquest; and, if he adheres to his determination to take no action in the matter?

MR. MATTHEWS: I have seen in the Press an account of a balloon acci-

dent, which appears to have had no connection with the parachute exhibition which accompanied it. I cannot say whether there will be any further inquiry until I learn the result of the coroner's inquest. I have no power to prohibit adult persons from risking their lives in dangerous adventures, such as ballooning or steeplechasing, and cannot therefore take any effectual action in the matter. If the public ceased to encourage such shows, by their presence or their money, that would be the most effectual way of stopping them.

THE ENGLISH AND ITALIAN NAVIES.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for Foreign Affairs whether there is any truth in the statement of the *Opinione*, which is regarded in Italy as a semi-official journal, that, although no actual treaty has been concluded, a definite understanding has been come to between this country and Italy, that the English and Italian Navies shall act together in the event of war; and that, a year ago, when a French attack on Spezzia was feared, the British Mediterranean Squadron was held in readiness to assist Italy?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSON, Manchester, N.E.): The action of Her Majesty's Government, in the improbable event of war breaking out between the two Powers named by the hon. Gentleman, will doubtless be decided, like all other questions of policy, by the circumstances of that particular time and the interests of this country. Her Majesty's Government are under no engagements or understandings fettering their liberty in that respect. Her Majesty's Government have never heard of any grounds for imputing to the French Government such a piratical design as that mentioned in the question.

MR. LABOUCHERE: Am I to understand that there is no truth in the statement of the *Opinione*?

*SIR J. FERGUSON: I have not seen this article in the *Opinione*, though I asked for it to-day on seeing the question of the hon. Member; therefore I am unable to state whether there is any truth in it or not; but I have distinctly answered the question put down upon the Paper.

MR. LABOUCHERE: May I ask whether, assuming this is a fair statement of what appears in the *Opinions*, there is any truth in it?

*MR. SPEAKER: Order, order!

*SIR J. FERGUSSON: I cannot answer that.

THE THAMES AND SEVERN CANAL COMPANY.

MR. HOLLOWAY (Gloucestershire, Stroud): I beg to ask the President of the Board of Trade if his attention has been called to a proposed sale by auction at Stroud, on the 26th instant, by the nominees of the Great Western Railway Company, of valuable properties of the Thames and Severn Canal Company; and, if it is the intention of the Board to take action with a view to the sale being prevented?

*SIR M. HICKS BEACH: Yes, Sir; my attention has been called to the subject by a letter from the Committee of Management of the Stroud Water Navigation Company. I have no power to prevent the sale; but the Stroud Water Navigation Company states that a few years ago the Great Western Railway Company obtained an injunction against the then mortgagee which prevented this property being sold. It is for the Stroud Water Navigation Company to consider therefore whether the law might not be set in motion to prevent the sale at the present time.

USIBEBU.

MR. BAUMANN (Camberwell, Peckham): I beg to ask the Under Secretary of State for the Colonies by what law or statute the Governor of Natal is empowered to refer the case of Usibebu, which had been dismissed by the Resident Magistrate after an investigation extending over several weeks, to the Resident Commissioner for further consideration, and in the meantime to detain an acquitted man in captivity?

BARON H. DE WORMS: The Secretary of State is not aware that Usibebu has been acquitted, or even tried, although he has learnt informally that the Resident Magistrate, before whom preliminary proceedings took place on a charge of being accessory to murder, dismissed that particular charge. It will be for the Zululand Government to consider whether any further proceedings should be taken, and the Secretary of State is

not aware of any special law applicable to the matter, other than the "Laws and Regulations for the Government of Zululand," published in C. 5331. It is understood that Usibebu remains at Eshowe, and it would be contrary to native law for him to return to his location without permission from the Resident Commissioner, but the Secretary of State is not aware that he is detained in custody.

TIBET AND CHINA.

MR. BRYCE (Aberdeen, S.): I beg to ask the Under Secretary of State for India whether he can state what is the present position of the negotiations with the Governments of Tibet and of China regarding Sikkim, and what prospect there is of a settlement of the questions that have arisen and a restoration of peaceful relations with Tibet?

SIR J. GORST: My noble Friend the Secretary of State has asked me to say that no statement on this matter can at present be made without detriment to the Public Service.

MR. BRYCE: May I ask the Under Secretary for Foreign Affairs whether any Parliamentary Papers on this subject can be laid before Parliament within a reasonable time in the course of the next few months?

*SIR J. FERGUSSON: I do not think that it will be possible to present Papers on the subject during the present Session.

ARMY COMMISSIONS.

COLONEL WARING (Down, N.): I beg to ask the Secretary of State for War whether it is true, as currently reported, that only 30 commissions in the Army are to be offered for competition to Militia Lieutenants in September; and, if so, why the number has been reduced at a time when the number of competitors is unusually large?

MR. BRODRICK: No, Sir; it is not true. The usual number of Line commissions—namely, 75, will be offered to Militia candidates in September.

THE HYDERABAD DECCAN COMPANY.

SIR ROPER LETHBRIDGE (Kensington, N.): I beg to ask the Under Secretary of State for India whether the attention of Her Majesty's Government has been drawn to the announcement that the Government of His

Highness the Nizam has obtained from Abdul Huk the value of a large number of shares in the Hyderabad Deccan Company; whether this arrangement is any part of the arrangement suggested or sanctioned by the Government of India as a settlement of the affairs of that Company; and, whether any Papers on the subject will be laid upon the Table before the Debate on the Indian Budget?

SIR J. GORST: My noble Friend the Secretary of State knows nothing about the matter except what appears in the newspapers. With regard to Papers, the settlement with the Company is still under consideration.

NEWGATE GAOL.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary of State for the Home Department whether he has conveyed, or is about to convey, the property in Newgate Gaol to the Court of the Lord Mayor and Aldermen of the City of London, upon condition that they shall erect on a portion of the site a new Criminal Court; if so, whether he has had before him independent estimates, first, of the value of the building site to be handed over; and, secondly, of the probable cost of erecting the new Court; and, what was the number of prisoners for whom accommodation was provided in Newgate Gaol at the time of the passing of the Prisons Act, 1877?

MR. MATTHEWS: The City Authorities have asked for the Newgate Prison site for the erection of a new Criminal Court, and their proposal is now under consideration, but no final agreement has been arrived at. Before deciding the question, I shall certainly take into consideration the value of the site and the cost of the new Court, so far as they affect the interests of the Government. The cell accommodation at Newgate before the Prisons Act was 204. If the prison were discontinued, the City would be entitled to a re-conveyance of it under the terms of Section 33 of the Prisons Act, 1877.

HYDROPHOBIA.

MR. FARQUHARSON (Dorsetshire, W.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of Mary Bamber, who died at Adlington, near Chorley, on Wednesday last, from

hydrophobia caused by the bite of a cat and, whether, with a view to stamping out hydrophobia, he will take steps to enforce the muzzling of cats as well as dogs?

MR. MATTHEWS: No, Sir; I have no information as to this case. As to the general question, I have nothing to add to the answers which I gave to a similar question put by my hon. Friend yesterday.

THE BANN DRAINAGE SCHEME.

MR. STOREY (Sunderland): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to an unanimous resolution of the Antrim Grand Jury, protesting against the obvious injustice of imposing taxation for the Bann Drainage scheme on lands other than the flooded lands to be benefited, and to a memorial in opposition to the Bill adopted at the annual meeting of the Poor Law Guardians and Town Commissioners at Banbridge; and, whether, in face of local and Parliamentary opposition, it is his intention to proceed further with the measure?

MR. A. J. BALFOUR: I understand that some such resolution has been passed. I cannot admit the alleged injustice. The localities will have the opportunity of rejecting the Bill if they dislike it, and I hope Parliament will not refuse them the opportunity of expressing their opinion on the subject.

MR. STOREY: Does the right hon. Gentleman still adhere to his statement that there is no injustice, having regard to the fact that the Conservancy Board is so constituted that the persons whose lands will be immediately benefited by this scheme, and who will contribute about one-eighth of the cost, will possess three-fourths of the voting power?

MR. A. J. BALFOUR: I adhere to what I have said.

TITHE RENT-CHARGES.

MR. GRAY (Essex, Maldon): I beg to ask the First Lord of the Treasury whether the Government will grant a Committee to inquire into tithe rent-charges, with the object of ascertaining what legislation would be an equitable settlement of the question?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I must refer the hon. Member

to the answer I gave on the 18th ult. to a similar question put to me by the hon. Member for Ludlow (Mr. J. More). In that answer I stated that, without giving a definite pledge so far in advance, I thought the Government would be willing to favourably consider the appointment next Session of a Committee of both Houses to take evidence as to the best method of dealing with the tithe rent-charge question.

LOANS FOR IMPROVEMENTS.

MR. BLANE (Armagh, S.): I beg to ask the First Lord of the Treasury if the Government will consider the recommendations of the Report of the Local Government and Taxation Committee of the London County Council, that the burdens of all future loans for improvements should fall on owners of property as well as occupiers, with a view to carrying them into effect by legislation?

*MR. W. H. SMITH: I have no knowledge of the recommendations referred to; but if the London County Council should see fit to introduce a Measure dealing with the question of loans for improvements, such Bill would be carefully considered by Her Majesty's Government.

THE TOWN HOLDINGS COMMITTEE.

MR. OCTAVIUS V. MORGAN (Battersea): I beg to ask the First Lord of the Treasury whether he is aware that the *Times* of Saturday contained two columns of the Report of the Town Holdings Committee; and, whether he is in a position to state when Copies of the Report will be issued to Members?

*MR. W. H. SMITH: The facts stated by the hon. Member are correct, and I am informed that the Report will be issued to Members on Monday next.

THE INLAND REVENUE.

MR. CUNINGHAME GRAHAM (Lanarkshire, N.W.): I beg to ask the First Lord of the Treasury whether it is a fact that additional allowances have been made to certain officials of the Upper Division of the Inland Revenue within the last fortnight, and whether the Treasury have refused to entertain proposals made as to certain Lower Division Clerks in the same Department, on the ground that a Minute is about to be issued dealing with all clerks of the said Lower Division; and, whether in

Mr. W. H. Smith

view of the fact that the delay in issuing the said Minute is operating unfavourably to the interests of these and other clerks of the Lower Division throughout the Civil Service, he will undertake to lay the Minute upon the Table of the House at a (definitely) early date?

*MR. W. H. SMITH: It has been found necessary to make immediate provision for the extra work thrown upon the Legacy Duty Office by the new Estate Duty imposed by the Customs and Inland Revenue Act of this Session. Temporary allowances have been given in some cases. In other cases certain officers have been transferred to the Legacy Duty Office, and the Treasury is satisfying itself whether it would be practicable to carry these transfers further. Until that point is settled the question of promoting the Lower Division clerks cannot be considered. In answer to the more general question, as to delay in the production of the Treasury Minute, I can only refer the hon. Member and my two hon. Friends behind me to the very full reply which I gave on Friday last.

THE AUTUMN MANŒUVRES.

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Admiralty whether during the forthcoming Autumnal Manœuvres any organised system of responsibility has been arrived at between the Admiralty and the War Office as to which branch of the Service is to be held responsible for the defence of the coasts, channels, and harbours of the United Kingdom during the continuance of the Naval Game of War; and, if so, will he be good enough to state the nature of the arrangements; and, whether the system of organization and responsibility is to be similar to that now in vogue for the defence of the North Sea and Baltic Coast of the German Empire?

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): The responsibility of the Admiralty and War Office respectively for the defence of the country is clear and distinct. It is the duty of the Admiralty to protect the shores and commerce of the United Kingdom, and to use the naval forces at their disposal in the way best calculated in their opinion to effect this object. The War Office

are responsible for land defences and their adjuncts. The conditions of war in the case of this country and that of a Continental Power are so different that no parallel can be drawn between the systems adopted for their relative defence.

MR. GOURLEY: May I ask what arrangements are being made for the coaling of the squadrons during the Autumn Manœuvres; whether experiments are to be made in coaling a portion of the fleet at sea, such as would appertain if engaged in hostilities; and, whether he is aware that last Autumn the *Benbow* was detained 48 hours coaling in a protected harbour, and that she broke several of her torpedo booms whilst receiving her coal, besides damaging the steam collier?

*LORD G. HAMILTON: The arrangements for coaling the squadron during the manœuvres are the same as last year—that is, by means of steam colliers which have been engaged for the purpose. The Admirals in command of the squadrons have entire control of their own coaling arrangements, and will coal at sea or in harbour as circumstances require. It is not the case that the *Benbow* was detained for 48 hours coaling in a protected harbour. Whilst getting in her coal at Milford Haven she broke two of her torpedo booms, and the side of the coal vessel was damaged. This is now guarded against by the supply of larger fenders than formerly.

IRELAND—LONDONDERRY PRISON.

MR. MAC NEILL (Donegal, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is the fact that the cells of Derry Prison are nine feet by six feet, and that the windows are carefully glazed with opaque glass, so as to exclude the prospect, and are so constructed that they cannot be opened more than three or four inches at the top; whether the walls of these cells being whitewashed, prisoners are forced during the whole period of their incarceration to be exposed to an injurious glare; and, does he propose to take any, and, if so, what, steps to secure the eyesight of the prisoners which is thus endangered?

MR. A. J. BALFOUR: The General Prisons Board report that the dimen-

sions of the cells in Londonderry Prison are as stated in the question, also that the windows are of opaque glass; but that it is not the case that they cannot be opened more than three or four inches. They open inwards from the top nine inches. The cells are whitened, but the Board are not aware of any prisoner being thereby exposed to any injurious glare. The Board see no necessity for altering the existing arrangement. Did any such necessity arise the surgeon of the prison concerned would, in the ordinary discharge of his duty, have called attention to the matter.

PRISON TREATMENT—WHITEWASHING CELLS.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, during the progress of a trial in Dublin, in which he was plaintiff, Mr. Wilfred Blunt swore that his sight had been injured by the glare of the whitewashed walls of his cell, when in prison under the Criminal Law and Procedure (Ireland) Act; whether he is aware that the eyesight of Mr. Cox, M.P., has been seriously and permanently impaired by his frequent imprisonments, and that this injury is directly attributed to the same causes of which Mr. Wilfred Blunt complained; and, what steps, if any, does he propose to take to secure that in future the eyesight of political and other prisoners should not be injured by imprisonment?

MR. A. J. BALFOUR: The General Prisons Board report that there is no medical evidence that Mr. Blunt's sight was injured either in Galway or Kilmainham Prisons. They are not aware whether he swore at the trial mentioned that his eyesight had been injured by the glare of the whitewashed walls of his cell; but as a matter of fact, so far as Galway Prison was concerned, all the cells during Mr. Blunt's confinement there and for long before had been coloured yellow. Mr. Cox, M.P., has been suffering from ophthalmia, in consequence of which he was removed to the prison hospital; but this does not appear to have been produced by any glare of the cell walls, nor, so far as the Board are aware, has his sight been seriously and permanently impaired.

FIXED RENT.

MR. BLANE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he is aware that Mr. William Gregg, of Clowney, on the estate of Mr. John O. Jones, County Cavan, which is under the management of a Mr. Stokes, as receiver under the Land Judges, has been served with a writ for all rent due up to May 1889, and has been compelled to pay, with costs, without any reduction, although the Land Judges allowed Mr. Gregg 20 per cent abatement on the rent falling due May 1887, and the same percentage was allowed by the Judges at prior gale days; is he aware that Mr. Gregg offered his rent to the receiver prior to the writ being served, asking reduction of 20 per cent, and served a notice to have a fair rent fixed; and, will he state whether the rent so fixed will commence to run from the 1st day of November, 1887?

MR. A. J. BALFOUR: The Land Judges Registrar reports that it is not the case that Mr. Gregg offered his rent to the receiver prior to the writ being served asking a reduction of 20 per cent. The amount of rent due was £159 17s. 6d., in respect of which Mr. Gregg offered £40 only on account. This offer was refused, and after due notice a writ issued, whereupon the full amount claimed was at once paid.

BUSINESS OF THE HOUSE.

MR. H. H. FOWLER (Wolverhampton, E.): I wish to ask the First Lord of the Treasury whether, having regard to the right hon. Gentleman's statement the other evening that it was not the intention of the Government to proceed during this Session with any seriously contested measure not yet before the House, it is intended to proceed with the Western Australian Constitution Bill, which is seriously contested, and will meet with very strong opposition probably from Members on both sides of the House?

*MR. W. H. SMITH: I should like to have the opportunity of answering that question on Monday, if the right hon. Gentleman will repeat it then.

MR. ILLINGWORTH (Bradford, W.): Do the Government intend to go forward with the Tithes Bill, or will they be content with the discussion which took place last night?

*MR. W. H. SMITH: I think the discussion last night was such as fully to justify us in asking the House to proceed with the Bill.

MR. J. C. BOLTON (Stirling): Will the Local Government (Scotland) Bill be taken on Monday? Important Amendments have been proposed by the Lord Advocate.

*MR. W. H. SMITH: I think it will be for the general convenience of the House that the Bill should be proceeded with on Monday. The Amendments to which the hon. Gentleman refers are chiefly of a drafting character, in pursuance of engagements entered into when the Bill was in Committee.

SIR W. LAWSON (Cumberland, Cockermouth): Has any arrangement been made in regard to the Revenue Bill?

*MR. W. H. SMITH: It will be taken on Monday, I hope.

MOTION.

CORRUPT MAGISTRATES IN INDIA.

ADJOURNMENT OF THE HOUSE.

DR. CAMERON, Member for the College Division of Glasgow, rose in his place, and asked leave to move the Adjournment of the House, for the purpose of discussing a definite matter of urgent public importance—namely, the retention by the Government of Bombay in Judicial and Administrative Offices of Magistrates and Officials who have sworn that they corruptly purchased their positions by means of bribes, and whom Judges of the High Court of Judicature of the Presidency have pronounced to be legally disqualified by their corruption from retaining office; but the pleasure of the House not having been signified,

MR. SPEAKER called on those Members who supported the Motion to rise in their places, and not less than 40 Members having accordingly risen in their places,

DR. CAMERON: During the 15 or 16 years I have had the honour of a seat in this House I have never moved the adjournment. I make it now because the matter appears to me to be pressing and momentous, and because I think that the facts of the case amount to a grave scandal. Having failed by repeated questions to get any satisfactory

assurance from the Government, no other course is open to me than to move the adjournment of the House unless the matter is to be allowed to stand over for another six months. About a year ago charges were made by the Indian Government against Mr. Arthur Crawford, who occupied a high position in the Indian Civil Service, of having received bribes and borrowed money from officials. The charges were brought before a Commission appointed by the Government of Bombay; and that Commission consisted of three gentlemen of high position—the Hon. Arthur Wilson, Judge of the High Court of Judicature of Calcutta; Mr. J. W. Quinton, a member of the Board of Revenue; and Mr. R. J. Crosthwaite, Commissioner of the Central Provinces. These Commissioners went very fully into the charges in an inquiry which lasted between 60 and 70 days. In addition to this investigation charges arising out of the same matter were tried by another Court against Hanmantrao, who acted as a sort of financial agent for Mr. Crawford, and who was alleged to have received bribes on his behalf for preferments and for exercising his influence with Mr. Crawford. In the course of the investigation some 32 officials, most of them mamlutdars, or Magistrates, were examined. The witnesses who paid the bribes gave the same evidence before the two tribunals, and one believed they spoke the truth, while the other thought that in some cases they did not. In order to obtain evidence, the Government gave some promise of indemnity to native officials who gave evidence, but the exact terms of the promise have not been published. It appears from the Blue Book that there was a promise to retain officials in office; but, if so, in many cases that promise has been violated; and the Government have gone on no definite principle, sometimes suspending and sometimes changing officials. I trust that the Under Secretary for India, when he rises to reply, will confine himself as much as possible to English, because I confess that I do not understand Hindustani, and I doubt very much whether the hon. Member for Kirkcaldy or the hon. Member opposite (Sir R. Lethbridge) will be able to understand the Hindustani of the hon. Gentleman. A mamlutdar, according to the Commissioners

who sat upon the Crawford case, is the chief officer entrusted with the local administration of the revenue. He exercises magisterial powers and certain other judicial functions under the Local Government. I will confine myself to the case of two Judges who, before the Crawford Commission, acknowledged that they obtained office corruptly, and I will confine myself to those because the Commission put the cases into a nut-shell. One of these men was named Sindekar, concerning whom the Crawford Commission report that he was on his own showing no victim of extortion, but a willing party to a corrupt bargain. The hon. Gentleman the Under Secretary for India says that Sindekar was retained in office by the Government of Bombay, because, taking all the facts into consideration, he ought not to be called corrupt, but a victim to corruption and extortion. That statement is exactly the reverse of what is to be found in the Report of the Commission. What were the functions exercised by Sindekar? Those functions are explained expressly in regard to this individual case in a Minute drawn up by one of the Judges of the High Court of Judicature of Bombay, and sent in to the Governor of the Council of the Presidency, with a protest against the retention of this corrupt mamlutdar in office. Speaking of Sindekar, Mr. Justice Jardine says his evidence shows that in the interval between the confession and the trial the witness actually exercised judicial functions, civil and criminal, and that those functions involved the right of initiating prosecution of subjects of the Queen on mere suspicion, and the right of inflicting whipping and imprisonment. The second case is that of Paranjape, whose name is shown in the Bombay Quarterly Civil List as that of a Magistrate of the second class; and he had power to pass sentences of imprisonment not exceeding six months, and to inflict fines not exceeding 200 rupees, and inflict the punishment of whipping. This man, the Under Secretary tells us, retains office, but has no jurisdiction in civil suits; but in the Minute of the Judges it is stated that he exercises the ordinary functions of a mamlutdar. The Crawford Commission in their Report say they do not believe the man Sindekar, so far as his evidence relating to the case of

That, on the evidence before us, is to be greatly deplored. What do the Judges describe as the sort of bribery that was carried on? Take one case, that of a man who, according to an answer given the other day, has been degraded. According to Mr. Justice Jardine, in 1885 this man was made a clerk at 40 rupees a month. In June, 1887, he wished to get himself made a mamlutdar, and at once set to work to obtain the office by bribery. He borrowed 3,000 rupees without giving security from a money-lender, and by means of this became a Magistrate and mamlutdar. His pay had only been 40 rupees a month, but after he became a mamlutdar he drew 112 rupees a month, and had contrived to repay 1,000 rupees of the money he had borrowed. He paid 3,000 rupees for his office, and it is no wonder, when the Judges declare that it is the easiest thing in the world for a man to borrow, without security, money to be used in purchasing some administrative office; and it is clear that no one would bribe to obtain an office, and no money-lender would make unsecured advances, if it were not for the well-understood condition that once he got into power the office-holder would be able to recoup himself easily by the bribes of suitors. Mr. Justice Jardine says there is abundant evidence of the exaction of bribes from suitors on the part of the mamlutdars in India. He says, further, that allegations of the kind were made in the Crawford inquiry. In the defence of the Government it had been said that Mr. Crawford's corruption extended over a wide area, and that extortion was practised upon these officials who were not to be stigmatized as corrupt in the discharge of their judicial functions; but we hear numerous instances of the bribery of the mamlutdars. Here is an instance. It is to be found on page 221 of the Report, and relates to a certain mamlutdar named Chaubal. He had to judge in a dispute between two widows as to a right of succession. He was got at by a gentleman with an unpronounceable name on behalf of one of the parties, but afterwards some friend of the other side went to Hanmantrao and bought a judgment from him, it being supposed that, with his influence with Mr. Crawford, Hanmantrao would be able to obtain a

decision for the friend of the man who paid him the money. The Judge, Chaubal, however, refused to accept Hanmantrao's advice as to how he should deliver judgment, and delivered it for the other side; whereupon, according to the statement of Hanmantrao—who appears to have been a thorough rascal—as some anonymous letters had been written by Chaubal hinting that the other side were giving bribes, he had the man appointed mamlutdar to another district and superseded him. More bribery followed, after which an apology was made to the mamlutdar and the judgment came all right. Now, I have specified two particular cases. The allegation of the Indian Government, as I have suggested, is that these men were in many of the cases only the victims of extortion, and that they were sent to unhealthy districts with the view of money being extorted from them. I am not in a position to form a judgment as to this; but when the Government are informed by a Commission of their own choosing that the men were not the victims of extortion, but were, many of them, parties to a corrupt bargain, which they went into with their eyes open, seeing a way of obtaining promotion which they were not entitled to, and paid money for that promotion, I think it is degrading on the part of the Government to maintain these men in positions where they have to administer justice. I think it is doubly detrimental to the respect of Her Majesty's subjects for law as administered in the Courts of the Empire that they should know that although these men have been stigmatized in the strongest terms by Judges of the High Court, and that it has been laid down that their retention in office is illegal, they are still in the service of the State. I think the Under Secretary has adopted a very proper view in regard to the payment of compensation. But if the Indian Bench is to be preserved in purity, it will not do to send back as County Court Judges a number of men who have been branded as criminals, and who have not only purchased their offices by corruption, but recouped themselves by taking bribes. As long as you keep these men the Government of India casts a slur on the whole judicial body. The Courts will not be considered as Courts of Justice,

Dr. Cameron

but as places where judgment can be bought from Judges who have themselves paid money to secure their offices by means of the highest bribes.

SIR J. GORST: I cannot help thinking that if the hon. Member desired to bring forward this question as one of urgent public importance, he at least might have given the representative of the India Office in this House half an hour's preliminary notice. It makes it more difficult on the spur of the moment to give an adequate answer to the hon. Member, because I have been engaged during the whole day in a Committee upstairs, and have not been able to pay a visit personally to the India Department. I have been compelled to send over hastily to the department to get a few documents in order to enable me to meet the hon. Member's Motion. If the House should consider my answer not so complete as it ought to be, hon. Members must attribute it, not to a deficiency on the part of the Government case, but simply because an opportunity has not been given to enable me to arrange and produce the documents. I would remind the House, in the first place, that it has no jurisdiction over the Government of Bombay, but only over the Secretary of State and his conduct in this matter. The question raised by the hon. Member is not yet concluded; it is now under the consideration of the Secretary of State; indeed, further action may, and probably will, be taken with respect to it. And I think it would be more conducive to the interests of the Indian Empire if the hon. Member and the House were to wait until the action of the Secretary of State is complete, and then express their judgment upon it. The position from the first has been one of extreme difficulty. In order to lay evidence before the Commission which inquired into the charges brought against Mr. Crawford, the Government of Bombay thought it right to give to all the officers who might be able to give evidence an indemnity on condition that they spoke the whole truth, and nothing but the truth. My own opinion is strongly opposed to such a practice except in extreme cases of necessity, but it is the practice, in India, as in this country, to offer indemnities in order to procure evidence. The indemnity given by the Government of

Bombay will be found on page 252 of the Blue Book containing the correspondence relating to the case of Mr. Crawford, and presented at the beginning of the Session. It was to this effect:—

"Mr. Ommaney is empowered to promise immunity from prosecution to any person giving evidence, and in cases of payments for promotion, or to obtain or avoid transfers, may guarantee immunity from official or departmental punishment or loss, subject to the stipulation that the evidence given is the truth, the whole truth, and nothing but the truth."

Now, I can understand the hon. Gentleman saying that this indemnity went too far with respect to the cases of offices purchased by corruption. I agree that the indemnity provided on this point went too far; but the House must recollect that it was given to the officers of the Bombay Government by their official superiors, whose credit and position it is essential to the Government of India to keep up; and the Secretary of State cannot without throwing the whole Government of Bombay into confusion, repudiate an engagement of this kind. What has been the action of the Secretary of State? It was stated at the beginning of the Session that it was impossible that men who had admitted themselves to be guilty of corruption should be allowed any longer to exercise any judicial office. On February 6th this year a telegram was sent out to the Bombay Government. It said:—

"Please telegraph early information about alleged retention of office by Bombay native magistrates who have confessed corruption before the Crawford Commission."

The answer received was:—

"The Report of the Commission just received and under consideration. In dealing therewith the incidental question of magistrates' retention or removal will be duly considered."

The Secretary of State promptly replied:—

"I await full information as to the facts before expressing any opinion myself; but I presume the incriminated magistrates are suspended from exercising judicial functions pending consideration of the case."

This was before the House of Commons met, and before any pressure had been put on the Secretary of State. On February 8, this answer was received:—

"Magistrates who have acknowledged having purchased their offices suspended from

exercising judicial functions during consideration of Report."

Now I appeal to the House in these circumstances to say whether it was possible for the Secretary of State to have acted more justly, more energetically, and with more propriety than he has done in this matter. It is impossible for the Secretary of State to try in Downing Street the case of every individual mamlutdar. His duty is to lay down the principles on which the Government of Bombay is to act, and I venture to say that neither the Secretary of State nor the House is competent to enter into the details of the question and discriminate between one mamlutdar and another, or to declare how far the general principles laid down by Her Majesty's Government in this country are to be applied to any individual case. After a case has been decided, then it is possible to inquire into it and award either blame or praise to the Government of Bombay; but the House cannot ask the Secretary of State to pronounce at present a positive opinion on any individual mamlutdar. The hon. Member spoke as if these mamlutdars are still exercising judicial functions; but the information which the hon. Member has received is precisely contrary to that which has been received by the Government. What are these men? A mamlutdar is not a County Court Judge; he is not essentially a judicial officer. But he is a revenue officer with something like 13 or 14 clerks under him. These men are the best educated natives in their district; and they have generally been required to qualify themselves for the exercise of magisterial functions. They perform the functions of a Magistrate not as their principal duty but as an important auxiliary to their other duties.

*MR. BAUMANN (Camberwell, Peckham): Have they been discharged from their revenue functions?

SIR J. GORST: I will come to that point later on. These men were suspended, so far as their judicial functions were concerned, by the Secretary of State the moment he became cognizant of the facts of the case; and in a great number of cases the suspension was made absolute, and they were deprived of their functions. I am not prepared to discuss the case of Sindekar, who was

restored. Sindekar's name was mentioned in the Report of the Crawford Commission, and in the Report of Mr. Justice Jardine; but his case has been considered by the Bombay Government, who have come to the conclusion that, taking all the facts into consideration, Sindekar ought not to be called corrupt, but that he was the victim of oppression and extortion; and that he was as fit for the exercise of the powers intrusted to him as he was before the money was extorted from him. I do not know whether, after further investigation, that judgment of the Bombay Government will prove to be right or wrong; but surely the House will not proceed to adjudicate upon the matter without having the materials upon which to arrive at a conclusion. Those materials, I repeat, are not at present in this country. With regard to Paranjape, he has been deprived of all Magisterial powers and of the Civil Court jurisdiction. The hon. Member for the College Division has made himself extremely merry because I have stated that the jurisdiction was now being exercised by karkuns, and the hon. Member asked me to speak English. Now, the word karkun is as intelligible a word to an Englishman as mamlutdar is. It is difficult to find an English word to express the meaning. The hon. Member has tried to translate karkun by calling the official a head clerk. The office of clerk is sometimes an office of great dignity, as it is in this House; but the hon. Member spoke of it as if the Government had conferred judicial functions upon a very inferior class. These officials are fully qualified to exercise judicial functions, and often, in the regular course of the administration, are called on to exercise them. Then the question has been put—ought these mamlutdars to be retained in office at all? That is a matter which is receiving the anxious consideration of the Secretary of State. It has been only recently that the point as to whether, under the Statute of George III., these officers are incapable of holding their office if they have been guilty of corruption has been pressed on the attention of the Secretary of State. The question as to whether the statute applied to these offices in India is engaging the most serious attention of the Secretary of State; and

Sir J. Gorst

I hope the House will not intervene before my noble Friend has at least had time to receive information from India and to fully consider it. I do not know that the hon. Member for the College Division can expect to gain anything by his Motion except to call the attention of the Secretary of State to a case which has engaged his most anxious and most careful attention during the last 12 months. I do not know that there has ever been a question which has caused more trouble and anxiety to my noble Friend than this, and I think the House would do well to leave the matter in his hands. But what is the matter of urgent public importance on which the hon. Member has moved the adjournment?

DR. CAMERON: The hon. and learned Gentleman will see that the word "sworn" is used.

SIR J. GORST: The hon. Member speaks of

"The retention by the Government of Bombay in judicial and administrative offices of magistrates and officials, who have sworn that they corruptly purchased their positions by means of bribes."

I do not admit that the Government of Bombay have retained in any office any functionaries who have proved any such offences against themselves, and should it be proved that they are so retained for the moment, it is because the Secretary of State has not had the matter brought before him with that fulness which would enable him to give the consideration necessary in determining so important a matter. The hon. Member next speaks of these officers as persons whom

"The Judges of the High Court of Jurisdiction of the Presidency have pronounced to be legally disqualified by their corruption from retaining office."

That is not a correct statement. The statement has been made by one Judge only, Mr. Justice Jardine. It was not a judgment; it was what the lawyers call an *obiter dictum* given by him, and no doubt—as any opinion coming from him—of great value. The question of where the statute does refer to the dominion officers is a matter which requires a good deal of consideration—perhaps more than the hon. Member for Glasgow proposes to give to it; and even if that statute does refer to the officers of India it has again

to be proved that these officers are disqualified from holding office. I am extremely sorry that this matter has been brought forward without notice. If I had received even half an hour's notice, I would have looked up some documents bearing on this question; and no doubt I would have been able to give the House a fuller and clearer account, and would have been able, instead of speaking from my own recollection, to have verified my statements by exact references to the Papers. I can assure the House that if this matter is left in the hands of the Secretary of State he will take very good care that full justice is done.

MR. BRADLAUGH (Northampton): I do not think the hon. Gentleman the Under Secretary for India is justified in complaining of the Motion for the Adjournment of the House coming upon him without notice, because, from the number of questions put to him on the subject, he must have anticipated some such course, unless he gave to the House the information which he has not given. If the whole of the documents are not in the possession of the Government—and they ought to be—some one has seriously neglected his duty towards the Secretary of State for India. I cannot wonder at my hon. Friend (Dr. Cameron) believing that these facts were accessible to the Secretary of State, because the judges in India have taken express pains to communicate them, not only to the Government of India, but to the world, so that there should be no possibility of doubt about the matter. I trust that the hon. Gentleman (Dr. Cameron) will be content with the discussion raised; but I think the House is indebted to him for having raised the question. I want, however, to point to one or two strange deficiencies in the reply of the hon. Gentleman. It was urged by the hon. Gentleman (Dr. Cameron) that the conduct of the Government has been a varying conduct—that they have suspended and partly suspended officials. The hon. Gentleman well knows that the letter in the *Bombay Gazette* was written by a native Judge holding a high position in the Bombay Presidency; I believe it is a fairly open secret in official circles. It is true that the Head of the Police was authorized to offer an indemnity; but I was astounded to hear the Under Secretary for India say that

similar indemnities were often given in this country.

SIR J. GORST: I never said similar. I said it was not uncommon in this country to offer indemnities.

MR. BRADLAUGH: An indemnity of what character? An indemnity against the penal consequences which will follow the indictment for the offence?

SIR J. GORST: That is exactly what I said; and as to the particular indemnity given by the Governor of Bombay, I expressed strong disapprobation of it.

MR. BRADLAUGH: But the hon. Gentleman did not go on to say that the indemnity given was entirely different from any indemnity ever known to be given in any court of this country. There is no comparison at all between the two kinds of indemnity. No doubt the hon. Gentlemen always uses able and careful language, but language which does not always convey the facts, and his able and careful language did not convey to my uneducated mind that there is any comparison between the indemnity given in India and the indemnity which is given here. It is perfectly true that the Blue Book states that had indemnities not been given no word of direct evidence would have been elicited. But why? The Blue Book shows that the corruption is sufficiently known to make it desirable that it should be ventilated in this House whenever possible. The very strong statement has been made that corruption extends over a wide area of the Central and Southern Divisions, and that more than two-thirds of the different officers and Magistrates were affected by it. We have Sir Raymond West's own Minute upon it:—

"Such 'open secrets' are known to have existed in India before, and sometimes with calamitous consequences. On the present occasion a dumb hopelessness seems to have pervaded the official class."

Only a few days ago I put a question to the Under Secretary for India with reference to a remission of sentence approved by the Secretary of State for India of an officer who had been publicly censured by the Government of India in an official dispatch. Can you wonder that it is exceedingly difficult to deal with these unfortunate natives, when they find that English officers who are powerful are

protected, and in a little time are promoted again? It would be unbecoming in me to cast the slightest doubt on the knowledge of the Under Secretary and Secretary of State for India, but I will read to the House a Minute which must have been kept back from the India Office by the Government of India in direct wrong to the Secretary of State, who ought to have been informed. I will read the quotation given by Mr. Justice Jardine as a material portion of the evidence relating to Sindekar. The Sindekar is asked—

"Since the Hanmantrao Inquiry have you returned to your duty? I did so before the case was disposed of.—You are still Mamltadar of Chanedore, and receive your pay as such? Yes.—Since you have admitted that you had a bribe for getting your transfer cancelled you still continued in the Government service? Yes."

The very Magisterial duties which it was suggested had not been carried out by others, the Sindekar, I presume, having since been restored. But what is the very next paragraph—

"Another witness of higher position"—higher even than the Sindekar—"deposed on 29th October that other magistrates in similar predicament, who have either made public confession of corruption, or are charged with corrupt crimes by the Government in the proceeding against Mr. Crawford, have resumed their judicial functions."

Have those words any meaning? Were these things, which were sworn, reported by the judges to the Government of India? Have these facts been withheld from the Secretary of State, or what does it mean? At any rate, the discussion does good, as showing that we have no means of challenging the Secretary of State for India, and that the only Parliamentary means we had on the Budget Statement we have been deprived of. I quite accept the plea of the hon. Gentleman the Under Secretary for India that the Government were in utter ignorance of the sworn depositions; but that being so, it would appear that they are governing India in ignorance. We are told that we ought not to rely on newspaper reports or telegrams in the *Times*. I do not blame the Government for depreciating the value of the telegrams in the *Times*, because I can understand that there are many reasons for that depreciation; but we are not relying on those tele-

Mr. Bradlaugh

grams; we are relying on the Judgments and Minutes of the High Court of India, to which some attention ought to be paid. If the Statute has any meaning at all—and there is no one who has a greater aptitude for interpreting this Statute than the Under Secretary for India—it re-enacts in express terms the Statute of Edward IV., which declares that any person who shall have paid any fee, or any sum of money, or any reward, is to be adjudged a person disabled in law from holding any appointment. There is the Statute, and we have also the evidence. We are not influenced by the telegrams in the *Times*, but by evidence formally minuted by one of the Judges of the High Court, with the approval of his colleagues in many material respects, and in regard to which I do not think the Under Secretary has been quite fair in the statement he has made to the House. I quite agree that there is something to be said on his behalf on the ground that in regard to money matters he and the Secretary for India were kept ill-informed by the Governors of the different Presidencies of India. We have seen that answers given to questions put at one time have been corrected at another, and that often the one statement was the very opposite of the other; but here we have a case in which we have sworn testimony, the evidence being uncontradicted and undisputed, and if it be said that this is not material, then I say we want a new dictionary to tell us what is the meaning of the word "material." Some of the men who have been compelled to lend money to the officials, and to give evidence of that by the inducements held out by the Chief of Police, have been dismissed, and some have been degraded and placed in inferior positions; but it is the poorest who have suffered, while the richest have escaped. I thank the hon. Member for the College Division of Glasgow for having brought this matter forward, although I trust he will not divide the House upon it, as that would involve our voting in the exact terms of the Motion. Nevertheless, these scandals require ventilation; and when they are ventilated, I hope the Secretary of State will not again say that he is ignorant of Minutes which have been published in all parts of the world, but which have been kept from him by those

whose duty it was to have informed him of the facts.

*MR. BAUMANN (Peckham): As I have had upon the Paper a Motion censuring the conduct of Lord Reay's Government in this matter, I desire now to say a few words on the subject. It has been asked what has the hon. Member for Glasgow gained by bringing on the question now? The answer is that he has gained this—he has ventilated one of the grossest scandals that have occurred in the administration of India in modern times. There are two branches of this subject. There is the conduct of the mamludars, which I understand is not before the House, and with regard to which we have not the proper materials for information, as the Minutes of Evidence are not published; and the other part of the subject has relation to the conduct of the Government of Bombay in regard to the prosecution of Mr. Arthur Crawford, as to which we have ample materials for judgment in the Report of the Commission which has been laid on the Table. A severer and a more pronounced condemnation of an Indian Government—

*MR. SPEAKER: Order, order! The hon. Member, as it seems to me, is travelling beyond the subject upon which the Motion for Adjournment has been moved.

*MR. BAUMANN: I think the Report in the Blue Book refers to the mamludars having been suspended; but if I am not in order in referring to that matter, I will not touch upon it further. The hon. Gentleman the Under Secretary has stated that the promise of indemnity having been given by the Bombay Government, the Secretary of State could not repudiate that engagement; but I fail to see why the Secretary of State should not have overridden the decision of the Bombay Government in the matter. It is the business of the Secretary of State to override the decisions of any of the Indian Governments when he believes them to be improper. I submit that the telegrams which came from India regarding the suspension of the mamludars in regard to the exercise of their judicial functions were of a most misleading character, because the majority of hon. Members of this House are not aware that the chief duties of those officials are not judicial, but duties

connected with the Revenue, duties which, as the Under Secretary has stated, form the major part of their functions. We consequently have before us the fact that Magistrates who have confessed corrupt action are allowed to remain in the discharge of the most important part of their duties—namely, those connected with the Revenue, while they are suspended from the minor and less important of their functions—namely, their judicial functions. If they are corrupt—and they have confessed that they are—they are absolutely incompetent and unfit for the discharge of their duties as taxing officers. We are told that the matter is receiving the anxious consideration of the Secretary of State, but that the India Office has not come to a decision on the matter because of facts which have only recently been brought to the notice of the Secretary of State. Why, Sir, this matter was brought under the notice of the India Office as long ago as last February or March; and if the India Office cannot make up its mind in four or five months, this seems to me a most remarkable confession. But the Bombay Government did a great deal worse than promise immunity to corrupt Magistrates; they employed the instruments of corruption to get up evidence against Mr. Crawford, and punished by suspension the mamludars who refused to give evidence against that individual. As you, Mr. Speaker, have ruled that that part of the case is not before the House and that it would be out of order to go into it, I can only say that I regret very much the way in which this branch of a very important matter has to be dealt with, and I beg to state that I shall take any opportunity which the forms of the House will permit on the Indian Budget or any other occasion of calling further attention to the matter.

MR. BRYCE (Aberdeen, S.): I can well understand the natural desire of hon. Gentlemen who are interested in a question of so much magnitude, which has been before the public for so long a period, to have it discussed in this House; but I cannot help feeling that the matter ought not to have been brought forward on such inadequate notice, which does not allow Members who feel great interest in the subject to refresh their memories as they would otherwise have done. There is only

one London newspaper which has a permanent correspondent in India, and he is continually sending telegrams which reflect on the conduct of the Bombay Government; and although the statements he makes often admit of explanation, the explanations do not find their way into the Press of England, so that hon. Members who are guided by these telegrams should suspend their judgment. I sympathize very much with what has been said by the hon. Member for Northampton as to the difficulty of bringing forward Indian subjects in this House. It is difficult with the limited information in the possession of Members to either approve or disapprove the action of the Indian Government; indeed the House should be very slow to take any such action. One material fact has scarcely yet been adverted to—namely, that it was absolutely necessary to give some indemnity. If an indemnity had not been given, it would have been impossible to elicit the facts of the case; and in the view of the Bombay Government it was of the very highest importance to discover whether it was true that a widespread system of corruption really existed in the southern part of the Presidency; and nothing but the offer of a liberal indemnity would in their view have been sufficient to secure the requisite evidence. I need hardly say that if the indemnity was given it was absolutely necessary that it should be adhered to. The hon. Gentleman who spoke last asked why should not the Secretary of State override the indemnity; but if that were done what hope could the Government have in any future case of obtaining evidence? Moreover, such a course would be a very bad example of the honour and faith of the Government, especially as it would be a case of breaking an indemnity given not to a European, but to a native. Another material fact is that the practice of purchasing offices is proved to have been all but universal; and the evidence showed that these particular mamludars were in no respect worse than others, and that the practice has prevailed widely in certain parts of the Presidency. It is important, therefore, not to deal with exceptional harshness with those who have been found out to a great extent through their own candour. I do not in any way palliate their offence; but it should be remembered in fairness

Mr. Baumann

that the corruption which has been proved against them was not that of selling justice and giving a decision in consideration of a bribe, but it was that inferior and not so black a kind of corruption which consists of obtaining an office by giving a consideration for it. There have been countries in which this practice has largely prevailed, and it certainly is looked upon as not so black an offence as selling justice. It is most unfortunate that the gift of office in India should be influenced by a pecuniary consideration; but that is a smaller offence in the eyes of the people of India, and also in our eyes, than the sale of justice for a pecuniary consideration. The hon. Member for Glasgow said that the natives could not regard the Courts of those mamlutdars as Courts of Justice at all; but that is not the way in which they look at the matter. If certain mamlutdars are known to have obtained their offices through the influence of other natives, or to have given some consideration for them, the people of India do not think any the worse of those particular Magistrates than they do of others. I have mentioned these matters in order to show the difficulties of the position in which the Bombay Government were placed. The hon. Member for Glasgow has dwelt strongly on Mr. Justice Jardine's opinion; but the *abiter dicta* of one Judge are not to be treated as if they were equivalent to the solemn determination of a full Court in a great case argued before them. I was myself in Bombay at the time when the matter was freely canvassed in conversation, and many members of the legal profession thought that Mr. Justice Jardine was wrong. Without at all disparaging that Judge, it is fair to say that what fell from him was not of the absolutely conclusive weight which the hon. Member for Glasgow seems to suppose. Indeed, I am not sure that there were not as many who held that the Judge was wrong as there were who thought he was right. I am precluded by your ruling, Sir, from referring to Mr. Crawford's case; but had it been in order I should have been prepared to defend the conduct of Lord Reay, who, I think, is entitled for his action to the thanks of this House and of the Government of India. The conduct of the Government of Bombay in regard to these mamlutdars has been the con-

duct of men who, above all things, are anxious to arrive at the truth. The ventilation of the matter is due to the conduct of the Government of Bombay, who in the interests of purity of administration in India determined to go to the bottom of the whole affair and to elicit the fullest revelation of the state of facts. In that respect I believe they have done well; and whether or not the House, when it is more fully informed of all the facts, will approve of all the administrative action which the Government of Bombay and the Secretary of State have taken, I think that most of us who know Lord Reay, the Governor of Bombay, and his upright character, will feel that that noble Lord's uprightness and courage could not have been shown in a clearer light or in a way that was more entitled to our confidence and respect than they had been in that matter.

SIR G. CAMPBELL (Kirkcaldy): There is no doubt that this is a very painful, delicate, and difficult matter. But when hon. Members show such a state of extreme holy horror at the purchase of offices in India, they seem altogether to forget that within historical times such things have occurred even in this country; and that even to this day if not political, at any rate ecclesiastical offices are bought and sold. I do not think this House is a very competent tribunal for dealing with this matter, more especially when, as in the present instance, we are called upon suddenly to deal with it without sufficient materials. I regret that a comparatively small matter has been allowed to overshadow the great question of the conduct of a high administrative officer in Bombay, which conduct at least made possible the corruption the House is discussing. It does seem extraordinary we should hear so much about the minor part of the case and so little about the major part. I am sorry that the Under Secretary of State for India has thrown over Lord Reay and the Government of Bombay. Whether that Government have made mistakes or not, they deserve the greatest credit for attacking an enormous evil which was rampant in the country; and it required very great courage to tackle the man who was accused of the conduct which gave rise to the whole scandal, and who was very

Britain should be treated on equal terms, declines to advance, for the construction of public works in Ireland, free grants of public moneys, which are refused, except in the case of amply secured loans, for similar purposes in Great Britain."

That appears to me to be a very sound statement of what our Irish policy ought to be, and I should have been glad if the hon. Member had been here to move the Amendment; but, unfortunately, he is not here, in consequence of the policy of the Government in shutting up their political opponents in prison, a policy worthy of the worst period of our history. As a protest against that policy, and against the way in which one of my fellow Members has been treated, I move the Adjournment of the Debate.

*MR. SPEAKER: Order, order! I will not put that Motion.

SIR W. LAWSON: Am I not——

*MR. SPEAKER: I consider it to be an abuse of the Rules of the House.

SIR W. LAWSON: May I ask a question? Am I not entitled to move the Adjournment?

*MR. SPEAKER: No, I think not. Under the circumstances, I consider it to be an abuse of the Rules of the House. Under the Standing Order I have two courses open to me. One is to put the Motion immediately, and the other to refuse to put it. I refuse to put it.

MR. H. COSSHAM (Bristol, W.): I rise to move the rejection of the Bill. I have noticed that where railways are really needed private enterprise is always found to undertake them, and I have noticed that railways are most successful when they are thus promoted rather than initiated by the Government. It is most unwise of us to allow the Lord Lieutenant of Ireland, who is a Political Agent, and who owes his appointment to political motives, to be the initiator of a great extension of the railway system. I oppose the Second Reading of the Bill, and I hope the House will reject it on account of the fact that private enterprise would supply what this Bill proposes to do through the Lord Lieutenant. The Bill also deals with the parts of Ireland where railways do not exist, and where it is proposed the Board of Works shall carry out the works. I have been long enough in the House to know that of all the bodies in Ireland that do not meet with the

approval of the Irish people the Board of Works stands at the head. Therefore, to grant to the Board of Works the power to control the levying out of considerable sums of money belonging to the taxpayers of this country is in the highest sense unwise. Nearly all the loans made, and nearly all the money given to Ireland under the control of the Board of Works has been spent in a way that has not produced good to Ireland or benefit to England. I find, on looking back, that the only schemes for Ireland's improvement which have worked out well are the drainage schemes under the Act 1863, with which the Board of Works had nothing to do. Another part of the Bill refers to the various loans or advances made by this country in the past in connection with improvement works. I am sorry to say their name is legion, and that for the greater part they have been misapplied. In the last 40 years this country has expended £35,000,000 in various works in Ireland, and will the House believe me when I say that £8,000,000 of that has had to be written off. Is it possible to give the House a better proof of the utter absurdity of prosecuting a policy such as that embodied in this Bill? I am here to protest in the name of the taxpayers of this country against such a policy. My constituents believe that this money will be utterly thrown away, and so do I. I find that on the Shannon Drainage alone, on which we are to be asked to spend more money, we have spent £860,000 already, of which £573,000 has been written off. The experience of the past does not justify the Government in the proposal they now make. But my objection to this scheme lies mainly in this, that it is part of the policy of bribery and brute force of which this Government is the acknowledged head; it is the policy of carrying a stick in one hand and a money bag in the other. I have not seen that policy answer in the government of nations. The only policy in which I believe is that of doing justice to the people; this mixture of brute force and fraud is the worst kind of government we can have. The object of the Government is to bribe Ireland from the love of self-government. Now, I believe the love of self-government is not only a just, but a most

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healthy feeling to encourage in any part of the United Kingdom. The Government may throw as many money bags into Ireland as they like, but they will not destroy the desire of the Irish for self-government. My next objection to the Bill is that it is introduced in the interest of a small class—namely, the landowners. The landowners of Ireland have cost this country very dear. Nearly all the legislation of the last 50 or 60 years has been conceived in the interest of the landowners, and they have shown their gratitude by creating more difficulty in Ireland than any other class. I am not disposed to make further concessions in the interest of that class. It is to increase the value of land that the Drainage Bills have been brought in, and as we are led to believe the Government intend to purchase the land, it is manifest we should be purchasing our own money over again. I am also against the Bill because it is opposed to the recommendations of the Royal Commission. That Commission reported that the initiation of all future measures of improvement in Ireland should be vested in the people themselves. This Bill is a direct violation of that principle. My objection to these schemes would not be so great if we had in Ireland a local government who would be responsible for the expenditure of the money. When we have Local Government in Ireland, I shall be the first to grant any money this country thinks fit to grant for the improvement of the country. I admit we owe to Ireland a deep debt. We have wronged her in the past to such an extent that I should be willing to strain a point to improve the condition of the country. But I want when any expenditure is made that it should be made under the control and responsibility of a body selected by the people themselves. I am sure I need not say to my Irish Friends I move the rejection of this Bill in no spirit hostile to their interests. I hope my past conduct justifies me in saying I am not an enemy of any improvement of Ireland. I want to see Ireland improved in every way, but improved under the control of a body responsible to this House and the country for the proper expenditure of the money advanced.

*MR. SPEAKER: Does the hon. Gentleman move his Resolution?

MR. H. COSSHAM: I move the Amendment which stands in my name.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words

"This House declines to give or advance money for the construction of Railways in Ireland, except under the direction and responsibility of popularly elected bodies."—(*Mr. Handel Coss-ham.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

*MR. S. BUXTON (Tower Hamlets, Poplar): To a large extent I sympathise with the speech to which we have just listened. I think that all hon. Members on the Opposition side of the House will be glad when we have some local authority in Ireland other than those at present existing, but I cannot admit that the speech of the hon. Gentleman is one that is properly applicable to the proposals of the Government now under consideration. I think my hon. Friend totally misunderstands the scope and object of the Bill. There is no proposal in the principal part of the Bill to advance money except in the sense that a guarantee will be given by the Government for these light railways, but the guarantee falls through if the railway does not succeed. It is not in the same sense as in the case of the Drainage Bills that the Government are advancing money. My hon. Friend also misunderstands the position of the Board of Works in the matter. The Board of Works has practically no power in connection with the carrying out of the works. All they have to do is to authorise the construction of one of these light railways where they think it is advisable to do so; they will have nothing to do with the actual construction or carrying out of the works; that will be in the hands of the public bodies and public contractors. The position of the Board of Works in regard to these railways is, therefore, totally different to what it is in regard to the drainage schemes. From personal knowledge of some of the districts in which it is intended these light railways should be constructed, I say that if this Bill is passed it will prove of immense advantage not only to the districts themselves but to Ireland generally, and to this country.

I do not believe that the money, if properly expended — and I believe that under this Bill it will be properly expended — will be thrown away. Many places in the West of Ireland are as much as 30, 40, or even 50 miles away from the nearest means of communication. In many of these cases there are fishing and other industries which might be easily developed if there were means of transport, and their development would put the people in a totally different position to that which unfortunately they now occupy. My hon. Friend must not suppose that the Bill creates a precedent. We have passed several Irish Tramways Acts, some of which have worked comparatively well, and this is an endeavour to complete former Acts with reference to Irish Tramways, and to place them on a more satisfactory footing. Under old Tramways Acts complications have arisen as to the barony guarantee and the State guarantee, and that has done much to prevent Companies being formed to create and work tramways. Under this Bill there is a simple Government guarantee of 3 per cent on the capital raised if the line is passed and completed, while the loss — if there is a loss — on the working will be borne, not by the Treasury, but by the locality itself. The hon. Member said that the Bill was introduced in the interests of the owners and not of the occupiers. But it will really be much more in the interests of the occupier; and unless the majority of the occupiers in any particular district give their assent to the line proposed, the line will not be constructed. It is not likely that the occupiers will give their assent unless they believe the line will be of advantage to them. In principle, the Bill is a very good one indeed, and I hope to see it passed. I believe it will be of great advantage to the poorer districts, and I do not think it can result in loss to the Treasury. There are one or two questions I desire to put, though I shall put them in no hostile spirit. I do not quite understand the part of the Bill referring to the position of existing railways. Are they to be allowed to choose profitable lines and to put aside other lines, or will the Executive insist that in any scheme proposed the companies shall make unprofitable lines if they exist, as well as profitable lines?

Mr. S. Buxton

Then I think the mode of election might be made simpler; and in reference to the guarantee, I understand it is not to exceed in the first instance 6d. in the £1, but if the railway in any part of the year does not pay its working expenses the promoters may ask the barony for a further guarantee. I believe that portion of the Bill will certainly not work. I do not think that the barony, having once given a guarantee, will be prepared to give a larger one. Again, who will be the authority to decide between two rival lines? I have in my mind two lines, both 40 or 50 miles long, one running through an almost barren country, and the other through a district in which there are many fishing villages. Who will be the authority to decide between these rival lines? Again, will these light railways include all the many different systems, some of which are used abroad, and some of which are now used in England, which do not always go by the name of light railways, but which are very inexpensive. I trust the Government will not confine their Bill too exclusively to so-called light railways, but will include some of the other light systems. In conclusion, I desire to say I regard this Bill as the best Bill the Government opposite have brought in, though that is not saying much. I hope they mean to pass it. I am sure it will not be accepted in Ireland as a bribe; indeed, I agree with my hon. Friend (Mr. H. Cossham) that the Government may offer as many bribes as they like to Ireland, it will make no difference at the election. I believe the Bill will be accepted as a measure to carry on that which already exists to a large extent, and that it will result in good to a large number of impoverished people.

MR. RATHBONE (Carnarvonshire, Arfon): I quite agree with my hon. Friend the Member for Bristol (Mr. Cossham) in condemnation of a policy for Ireland made up of alternations of coercion and bribery. Such a policy is as useless as it is immoral. I quite agree also that the best results of any measures for developing the natural resources of Ireland can only be attained by entrusting those measures to local administration. But I do not admit that we are bound to wait for the time when that Local Government is established before we make amends for

our selfish and narrow policy of former days. I look at the proposal before us from a practical point of view, and I find that this promotion of light railways is supported and urged by everybody who has taken practical interest in the question of developing Irish resources. I do not see how we can ever do anything for the congested districts until we provide facilities for sending to those districts what is required, and taking from them what they produce. About the other Bill brought forward for the relief of Ireland I feel considerable doubt, but upon this Bill I have no hesitation. I think this construction of light railways is a matter of vital importance for Ireland, and for the West of Ireland especially, and I think the House would incur great responsibility if it declined to carry out the proposal without delay. At the same time I am bound to admit that there are complicated details in connection with the proposal, difficult to deal with in Committee of the whole House, and in view of this I venture to suggest to the Government that it might be well to refer the Bill to the Standing Committee on Trade, adding to the Committee those Irish Members and others who have shown a practical interest in the subject. I believe then all the details of the measure would be satisfactorily adjusted. As the right hon. Gentleman the President of the Board of Trade knows, the Trade Committee is a very practical body, and I do not think it would be many days before the Bill would be sent back again to the House with remedies found for all those dangers my hon. Friend (Mr. Cossham) has suggested.

SIR GEORGE CAMPBELL (Kirkcaldy): I cannot help expressing my great regret that the Government have not given us more detailed information as to what this Bill means. The First Lord of the Treasury said the other day, in a light and airy way, that all parties were agreed upon it. Well, that does not seem quite to be the case, and there is one party with a considerable interest in the matter who has not expressed any satisfaction, and that is the British taxpayer. Seeing that they are called upon to sink several hundred thousands in the undertaking, I think the British taxpayers ought to be consulted. I am bound to confess that as the Irish people have not, as we have, the means by Local

Government of dealing with the matter themselves, we are called upon to do what is necessary in regard to the congested districts, and so far I agree with my hon. Friends the Members for Poplar and Carnarvon. My views are expressed in the Motion I have put on the Paper, although I gave way to that of my hon. Friend the Member for Bristol. Pending the establishment of Local Government in Ireland, I am willing to vote the sums required for the impoverished and congested districts, but I decline to do so without a definition of the areas within which the money is to be expended, and an indication of the railways contemplated. My view is that the theory of the Bill is right, but I want to know if the practice is right, and if we really are going to relieve the congested districts of Ireland. I want to be quite sure that we are not merely giving the Government a cheque for £600,000 that they may scatter the money about here and there, bribing Irish opinion under the semblance of assistance given to the development of local industry and resources. I listened carefully to the statement of the right hon. Gentleman the Chief Secretary when he introduced these Bills, but as regards the Light Railways Bill, that statement was most vague. He told us the general principle upon which the Government proposed to proceed, but he gave us no indication whatever of the particular railways, and the particular parts of Ireland he intended should be served. While we are still a united kingdom we are bound to render assistance to any specially distressed district in the kingdom. Now, if the Secretary for Scotland were to come forward with a proposal to give assistance to Scotland under such such circumstances, I can quite conceive that the House would not be content with a demand for so many hundred thousand pounds, and the Government would produce a plan of their intentions and would put before us a map showing how half Scotland is not served by railways at all. The large fishing industry of the west coast is only touched by one monopolising railway company, and the fishermen are obliged to send away their fish by a route which makes a long detour, by an insufficient service of trains, and at high rates. The Minister in charge would show, without lending

himself to a particular line of railway, what his general object was. This is what I want the Government to do now, when asking us to hand them £600,000 for them to dispose of. I want them in general terms to indicate their project. I have not heard what it is. I have visited Ireland, and I know that there are parts of Donegal remote from railway communication, but I do not know that there are any industries there that a railway would serve to develop. I do not know that there are any great fishing interests there on that Atlantic beaten coast, as there are on the West Coast of Scotland. I may be told that such a railway is not a new project, and I am quite aware that there have been these railway projects before. The hon. Member for Cavan (Mr. Biggar) is an authority on the subject, and he told us the other day of a railway that only carried three tons of goods during the year, and this another hon. Member says is the only one that pays its expenses. Well, with such experience before us, I think we may well ask before we present the Government with £600,000 for distribution what their plan is. I do not expect them to be bound down to the narrow limits of one particular line, but they can surely give us some general idea. They must have roughly figured out some project to arrive at this sum of £600,000 upon which they have fixed instead of a round half million. Somehow or other they arrived at this sum, and I hope before this Debate closes they will give us the information which I think in the interest of the British taxpayer we are bound to ask for. The Government must have some project, for I understand these railways are to be constructed to serve industries that do more or less exist, and that can be improved by this means of communication. I do not believe in railways as a means of creating an industry, and I doubt very much if there is any great quantity of fish to be caught off the Atlantic coast. Then as regards the details we have in the Bill, I must say I do not very much like them in many respects. My hon. Friend below me seems to think that the baronies are going to guarantee three per cent, but as I understand it, they are not going to guarantee interest on the capital, the only guarantee is against loss on working expenses, a

very different thing. Working expenses may be reduced to a minimum. I dare say the three tons of goods carried in the year paid the working expenses if the three tons were carried by one train. That, I say, is a totally inadequate guarantee, and does not give any assurance that the people of the locality have belief in the work they guarantee. It is really no guarantee at all. I have had some experience of guaranteed Indian railways, but there the guarantee was always a guarantee for a certain interest on the money, whereas here the guarantee is to be absorbed in working expenses. Neither do I like the vague terms in which the Bill provides for the subsidising of railway companies for extensions and the promoters of new lines. We have no indication of where the lines are to be promoted, we are only told that light railways are to be provided in the interest of Irish industries, but for all else we are totally without light and leading. Of one thing we may be certain, that Ireland is pre-eminently the land of jobbery, and if there is a country where a job in matters of this kind can be perpetrated it is in Ireland. The hon. Member for Cavan has given us illustrations of what has been done in this way in the past, and looking to what we may anticipate in the future, I again say we ought to have more details in our possession before we pass the Second Reading of this Bill.

COLONEL NOLAN (Galway, N.): I was glad to hear the speeches of the hon. Members for Poplar and for Carnarvon. They are such as I should have expected from hon. Gentlemen who have, for a long time, in the House of Commons, taken an interest in industrial questions relating to Ireland. The hon. Member for Kirkcaldy sets up a claim for support for the fishing industry of the West of Scotland, and all I can say is that if a Bill were brought in for the West of Scotland, and could be supported on equally good grounds to this I would support it. The hon. Gentleman suspects that in Ireland such a Bill means jobbery, and he is sceptical about the existence of fish in the Atlantic, but I can tell him that all along the west-coast there are plenty of fish to be caught and would be caught if only the people had the means of sending their catches to market. Fishing is carried on now in Galway Bay, because we have a rail-

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way at hand, but when the railway communication is 30 or 40 miles away of course it is no use catching fish other than will stand the long carriage. Lobsters are caught to a considerable extent, and curing fish is carried on to some extent, but salting is a troublesome process, and it is not all kinds of fish that are suitable, and the fish do not realise half what they do when fresh. Railway communication is the remedy. I must say this is far and away the best Bill for Ireland that has been introduced for many years, and I sincerely hope that opposition from this side will not prevent it passing. We have heard much about the British taxpayer, and I am quite aware that in this instance he is to supply the bulk of the money, but while we pay £8,200,000 annually into the Exchequer, are we to get nothing in return but police and coercion? Hon. Members have spoken of the money being wasted—and money no doubt will be wasted if a proper check is not kept upon expenditure. But I will undertake to say that every year there is an amount of money jobbed away in the administration of Ireland to twenty times the amount that is likely, with the most lax administration to arise under this Bill. Why attempt to check the development of whatever industrial resources we have in Ireland? The hon. Member for Kirkcaldy will not allow we have fish in the Atlantic.

SIR G. CAMPBELL: I did not say the Atlantic is without fish. I doubted their being caught.

COLONEL NOLAN: I thought the hon. Gentleman hazarded a doubt as to the existence of fish there, but I will give him the full benefit of the correction. There is no doubt that this part of the Atlantic is swarming with fish, and I hope when we have this railway the fact will be demonstrated beyond doubt. There have been several propositions in reference to this Bill; one is to refer it to some Committee or other, and another is to add a schedule of lines. Now, these are both favourite methods of killing a Bill. You often hear Members who are disposed to reject a Bill say, "We are not satisfied with dealing with it in the ordinary way, send it to a Committee;" or else they say, "It is necessary for clearness there should be a schedule inserted." Of course to propose either such course on the 18th

July, when everyone is desirous of an early close of the Session, is an effectual way of killing the Bill for this year. The Bill is susceptible of improvement, I know; but it is not such a complicated piece of work to deal with. We are accustomed to its machinery under the Tramways Act, machinery of which I do not approve very much; but, eliminating much of that machinery, we could make the Bill simpler in its working, with little to object to in that respect. I would have as much control as possible left to the Lord Lieutenant, because he acts by the advice of those who are responsible to the House of Commons; but over the Privy Council popular Representatives in this House have no control. But this is a question for Committee, and does not affect the Second Reading. Suppose the hon. Member for Kirkcaldy had his way, and a schedule was drawn up, any Irish Member would naturally think his own district was most important, and would expect to find it in the schedule; and, not finding it there, would endeavour to get it added. We should all do that, and from our own point of view would be justified; but to stop the Second Reading until we all agreed on this point would be foolish indeed. There are many points in the Bill to be settled, but not before the Second Reading. Hon. Gentlemen below the Gangway are in many ways excellent friends of Ireland. If they really think it will be a benefit for Ireland to develop her resources by means of money drawn from her own taxation, can they think it is necessary to wait for that benefit until Home Rule is established? We may have to wait for eight or ten years—there is a possibility of that, though I hope we may arrive at it before. But we do not know what may happen; there is much to be done; we may have to abolish the House of Lords to do it. But do you want this benefit for Ireland to be put off for an indefinite period while the great struggle of Parties is going on? I beg and entreat hon. Members not to insist on our continuing the contribution of £8,200,000 a year meanwhile with no return. Give us at least the odd £200,000, to be devoted to a useful purpose.

MR. BIGGAR (Cavan, W.): I think my hon. and gallant Friend has rather "let the cat out of the bag." He has

year—a disgrace to this rich country—and offer no assistance? The hon. Member for Kirkcaldy wants to know where the congested districts are; he wants a map prepared, to be hung up, I suppose, on the Speaker's Chair, so that the districts proposed to be served may be explained. But surely there is no difficulty in finding out where the congested and impoverished districts are? The hon. Member talked about fish and Irish fishing, and the hon. Member for Cavan also talks of this industry with contempt; but I think I have heard of Bills being introduced by Members of the Party to which the hon. Member for Cavan belongs, dealing with Irish fisheries, and which were not dealt with in that contemptuous way in which the hon. Member has spoken of Irish fisheries to-night. I put it to the hon. Member for Kirkcaldy, What is the use of the Irish fishermen catching fish if the fish are simply used as manure, because, in the absence of railway communication, they cannot reach a market? That is a sufficient reason for not catching fish. The fish are there, and the fish will be caught if the means of transport are provided. The only difficulty about the Bill is that we are now reading it a second time on the 19th July. I think I may take it for granted we shall not have an Autumn Session. Now, the difficulty we have is this—when we look at the working of the Tramways Act of 1883 which was passed at the tail end of the Session—

An hon. MEMBER: In two hours.

*MR. T. W. RUSSELL: Not in a satisfactory way, I must admit, and it has not accomplished all that we desired or expected. Now, in view of this fact I think that the suggestion made by the hon. Member for Carnarvon (Mr. Rathbone) is worthy of consideration. The Bill is undoubtedly one of detail, and if it were referred to the Committee on Trade, adding to that Committee a certain number of Irish Members interested in the question, there would be a better chance of those details being thoroughly threshed out than at this time of the Session in Committee of the Whole House. I am sensible of the danger to which the hon. and gallant Member for Galway (Colonel Nolan) has referred; I know that referring a Bill to a Committee has sometimes been found a convenient

method of shelving it, and, therefore, I do not press this unduly; but it is a question to consider whether the balance of advantage would not be with the reference of the Bill to a Committee rather than by undertaking it in Committee of the Whole House. The hon. Member for Cavan (Mr. Biggar) has talked about the question of gauge, but that certainly is not a question for decision upon the Second Reading. The Government have deliberately refused to settle the question of gauge in their Bill. There are advocates of both gauges in Ireland, and the Government are content to leave it to local decision. I may remind the hon. Member for Cavan of the fact that the longest and most successful of these light railways is constructed on the three-feet gauge, and the cost of transfer of cargo to the ordinary gauge line is only about 4d. per ton. But as I say, this is not a question for Second Reading. The Government have not chosen to decide between the gauges, and we may now leave that question alone. I believe it is absolutely necessary, if we are to do anything for the congested districts, that these light railways should be made, and with considerable confidence I appeal to the House, believing that we cannot do better than pass this Bill.

*THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I hope that the House is now in a condition to come to a determination upon this stage of the Bill, and as I am anxious to avoid being the cause of unnecessary delay, I now interpose to make such observations as occur to me in reference to the Debate. Perhaps the House will allow me to deal lightly with some of the remarks made—I will not say upon the Bill—but upon topics which some hon. Gentlemen have suggested as relevant to the Bill. I should myself have been very much surprised, I might almost say disappointed, if we had not had our old friends "bribery and coercion" trotted out, the whip in one hand, the reward in the other, and all that sort of thing. I do not know why I should bore the House and bore myself by repeating what I have said on former occasions in reference to arguments of this kind, and I turn to criticisms more directly relevant to the discussion. The hon. Member

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for Cavan (Mr. Biggar) has told us that these railways are not wanted in congested districts because he says there will be nothing for the railways to carry; that the people are so poor that they have nothing to send or receive by railway and that they cannot afford to travel by the railway themselves. Well, I hope the hon. Member for Cavan will recognize hereafter that it will not be open to him to say, at all events, that these people are not eminently deserving of any assistance the community can safely or usefully provide. If they are really sunk so low in the depths of poverty as the hon. Member describes, if they are really so incapable of supporting themselves as he says, I hope that when he and his friends refuse to give facilities for emigration, for making railways or for building piers, he will suggest some other means by which material assistance may be given to these unhappy people. For our part, we admit with the hon. Member that the amount of commerce is not great; we admit that these railways are not likely to pay on any large scale; but what we do believe is this—that any germs of industry—fishing or agriculture—will be fostered by these railways. We believe that the means of communication between these congested districts and the outer world will conduce to their civilization and prosperity, and it is on these considerations, and not because we anticipate any large commercial return, or in some cases any commercial return at all, that we have adopted this Bill. The hon. Member for Bristol (Mr. Cossham) repeated the old familiar argument that the Bill is introduced by the Government simply to improve the condition of the landlords at the taxpayers' expense. Well, the most ardent advocates of the Bill are persons not commonly supposed to be favourable to the interests of landlords. If the hon. Member goes to the West of Ireland and to the districts where, as I hope, these railways will be constructed, he will find every class of the community—priests and politicians alike, and every person who is, or fancies he is, qualified to represent the people—is ardently in favour of these railways; and the very people who conceive it to be their duty to attack the landlords are most in favour of our

proposal. I do not know that I need discuss the prospect the hon. Gentleman held out of waiting until Home Rule is established in Ireland. I understand perfectly well the arguments, such as they are, in favour of Home Rule being granted; but is there a man in the House who really believes that the proper system of administering Imperial assistance on a large scale is to do this through a local body in no sense responsible to the taxpayer or to those in this House who vote the taxes? The hon. Member for Bristol (Mr. Cossham) attacks the Board of Works. The Board of Works are accustomed to attack, and I do not say the Board of Works has never made mistakes; but, at all events, the Board of Works is responsible to this House, and it carries out its functions under the eyes of this House, and a Minister responsible for the action of the Board of Works is in this House; but if we were to carry out the scheme recommended by the hon. Gentleman, by which the money provided by Parliament should be administered by the localities alone, I conceive that the most ardent Irishman will admit that the last guarantee for economical administration would finally disappear. The hon. Member for Kirkcaldy (Sir G. Campbell) has asked where the congested districts are—but I see he has gone away, and so I may neglect his argument. I will only say upon this and another point raised by another hon. Member that we scarcely think it is necessary to specify the congested districts to be dealt with, but anybody who has read the Report of the Royal Commission, or who is familiar with the condition of Ireland, will be perfectly well aware that the difficulty will not be to find congested districts, not to find areas through which a railway might be usefully constructed, but to get rid of claims that will be pressed upon us, in order that we may use to the best advantage the limited funds given by Parliament. The Royal Commission recommended certain lines, but the Government do not commit themselves to these lines. We offer no final verdict as to which are the railways that should, in the first instance, be constructed—we shall take the recommendations of the Royal Commission as a basis, to be modified if necessary as

further reflection may suggest. The hon. Member for Poplar has asked me who is the authority to decide through which district a line should go, and if, in the competition of two Railway Companies, the line would go through the richest or the poorest district. It will not rest with the Railway Companies to determine the question; the control will be with the Executive Government, and they will base their decision not on what will be profitable to the railway company, but on their estimate of what is useful to the country at large. I am asked also whether a more simple plan could be proposed for taking the votes by which a district may express approbation or disapprobation of a railway scheme. We shall be quite ready in Committee to consider any other plan that may be suggested, but ours, I think, is a very simple one, and it has, as the hon. and gallant Member for Galway (Colonel Nolan) says, the advantage of being familiar to the Local Authorities in Ireland. I do not think that any difficulty is likely to arise in the working of the plan we propose; but if any hon. Member can offer us a better one, we shall offer no obstinate resistance to the suggestion. Hon. Members opposite have advised the reference of the Bill to the Standing Committee on Trade, and I do not know that much is to be said in opposition to such a proposal, except that it might cause a delay that might possibly be fatal to the Bill for this Session. I learn that the Committee on Trade have several Bills before them, and that they will not meet until Thursday. Under these circumstances, I think we should be risking more than we are likely to gain by taking the course of referring the Bill to the Trade Committee. I need only say, in conclusion, that the hon. Member for Bristol (Mr. Cossam) and his friends take a singular view of their duty when they acknowledge that they owe this measure as a debt to Ireland, but yet would defer the payment of this debt indefinitely until they can pay another debt they conceive they owe to Ireland. I would say to the hon. Member, let him be honest while he can. The other debt I understand to be Home Rule. Well, the payment of that debt, as the hon. and gallant Member for Galway has said, must be in the dim and distant

future. [*Cries of "No, no," and "Next Election!"*] I am only quoting the hon. and gallant Member for Galway.

COLONEL NOLAN: I used no such poetical language as the "dim and distant future."

*MR. A. J. BALFOUR: Well, I will put it in more qualified terms, the hon. Gentleman anticipated that it might be eight or nine years. But I would seriously advise hon. Gentlemen in public as well as in private affairs to pay their debts while they can, and when they can, and not to refuse to pay an instalment because they have to postpone for an unknown period the clearing off the whole. The hon. Gentleman is one of those who are fond of casting in our teeth that we do not sufficiently consider Irish opinion. Well, on this question of light railways Irish opinion is more unanimous than I have ever known Irish opinion on any other question. Every Irish Member on this side is in favour of the Government Bill and every Irish Member on the other side, with the single exception of the hon. Member for Cavan. ["No."] At any rate, the hon. Member for Cavan is the only Irish Member who has spoken against it, and those who agree with him are in a very small minority. The hon. Member for Bristol has now an opportunity of showing his practical belief in two fundamental articles of his creed in regard to Ireland. The first article is that we should pay our debts towards Ireland (and here is a debt we all acknowledge); the second article of his creed is that we should act in Ireland as Irishmen desire, and here is a chance of carrying out this article of his creed also. But I am afraid that brought to this practical test the airy theories of the hon. Gentleman dissolve into nothingness, and make manifest to the world their inherent emptiness and vanity. I hope the House will now be content to go to a Division, if Division there is to be.

MR. ILLINGWORTH (Bradford, W.): The right hon. Gentleman has been obliged to admit that he does not expect that the public money expended under this Bill will bring any commercial return whatever. I think that such an opinion as that, coming from a Minister of the Crown, is not very encouraging to those who are asked to

Mr. A. J. Balfour

squander public money. The way in which the proposal has been treated by hon. Members from Ireland shows that they are going to get the money very cheaply, and that they are indifferent as to whether there is any return for it. I want to know where these railways are to be made, and where is the traffic that is to keep them going? We hear something about the fisheries, and I have no doubt that good will be done on some of the coasts if these light railways are made. But if you are going to treat Ireland to light railways in one district you must do it in others also, and if you are going to do that, the sum proposed under this Bill will be totally inadequate. I think the hon. Member for Cavan (Mr. Biggar) was not far from wrong in saying that when these projects are carried into law jobbery is inevitable. We have had some illustrations lately of the impartiality of the Government in dealing with these questions. Can anyone doubt that these railways will be made in the North of Ireland, inasmuch as the Government have to determine the localities? The West of Ireland, where the greatest distress prevails, will be neglected. We have had illustrations within the last 12 months of how public money is used when it is under the control of Government. The course that has been followed with regard to the Irish Drainage Bills is an illustration of the one-sidedness of the Government. Four Bills were brought in, and the one that was put forward was the Bann Drainage Bill, the Bann being in the loyal part of the North of Ireland. That Bill having been secured, the right hon. Gentleman the Chief Secretary has shown marvellous philosophy in abandoning the others. I have no faith whatever in a project of this kind, organized in this way, and carried out by the machinery proposed. One of two things must happen; either the generosity of the House of Commons will be exhausted in one or two projects, or Parliament will be applied to over and over again to grant money to some favoured district in Ireland, other districts being left disregarded. The avenues there are for jobbery under this Bill leave us very little hope that this is a means whereby Ireland can be solidly and permanently benefited. I deny that we are really going to benefit Ireland, and to meet the obligations we

owe to her, by squandering public money in this matter. The first thing is to get Irish self-government. All these exotic means of stimulating Irish enterprise can only have one miserable ending. Ireland is strewn with experiments of the kind in which enormous sums of money have been wasted. Public money expended in this way is never worth more than 10s. in the £1, because it is impossible for the Government to superintend the expenditure properly and economically. It has hitherto been the function of Parliament to scrutinize with the greatest vigilance schemes originating outside this House, but this scheme is of the most hasty and vague character, and nothing has been put before Parliament to pledge the Government as to what they are to do, and how they are to do it. Under such circumstances you are suspending the duties of the House of Commons, and I do not hesitate to say that even if I had some belief that good would come out of this and kindred measures I should say—"Let more time be given for the consideration of the question, and let the scheme be more definitely put before us."

MR. BLANE (Armagh, S.): This Bill will not meet with much opposition from me, although I have not much regret for the British taxpayer. If he is good enough to expend this money, I hold no brief from him, and I am content that he should do as he likes. On the face of it this Bill looks very fair, but I know something about the working of elections and so forth in Ireland, and I know that this Bill is confined to what are known as the immediate lessors. The schemes must no doubt come before the grand juries, but in certain districts grand jurors would scarcely get two nominations for any Parliamentary or municipal appointment. And it is to these men and to the Secretary to the Grand Jury and the County Surveyor, the payment of whose salaries are in the hands of the grand juries, that the decision as to the making of these railways will be entrusted. In every case in which you confide in the grand jury you have jobbery of the worst description. The Chief Secretary will probably make a railway in Donegal. Well, so would I. But whom will that railway benefit? It will benefit certain land-

lords. I have driven for miles through Donegal without making any progress [*Laughter.*] I have driven miles through Donegal and have made very little progress, for the reason that it was a circular road which led me to within about half a mile of where I started. It apparently is a laughing matter for the Government that the land-grabbers would have these circular roads. I can refer the right hon. Gentleman the Chief Secretary (Mr. A. J. Balfour) to maps in this House to show that such roads exist between Dunfanaghy and Letterkenny. They are made to go along the margin of the property of landlords so that the latter can get the benefit of the purchase. The County Surveyor is not a free agent in the matter. The people who are rated under £4 5s. a year will have no voice in the decisions respecting these schemes, though anyone who has travelled through Donegal knows that there are people there rated as low as £2 a year. You give these people a right to elect a Member of Parliament, but you will give them no voice in the making of a railway. There is no tribunal to which they will be able to apply to prevent jobbery. It is to the interest of the grand jurors to have jobbery, and so they cannot apply to them. Under this Bill the landlords will be made judges in their own cause, and they will execute their own judgments. I think the Bill should be amended so that every householder entitled to vote for a Member of Parliament should have some voice as to whether a railway should be made or not. The Board of Works, which is to execute these schemes, is a notoriously expensive body. There are piers built by it on the Donegal coast well within a line of reefs so that no ship can get near them; and yet it is into the hands of these men that you are going to give the making of the line.

Mr. SEXTON (Belfast, W.): I do not intend to vote in favour of the Bill, because I should be sorry to be responsible either for some of the principles which the Bill contains, or for any of the as yet unauthorised schemes which may be brought forward; but, regarding the question from the point of view of an Irish Member, I do not feel justified in voting against the Bill, because it proposes to devote Imperial funds to projects

ostensibly of public utility in Ireland. Some hon. Members regard the Bill as a bribe. The only way of testing the efficacy of a bribe is to give it. For my part I do not think the Bill will operate successfully as a bribe, but I shall be glad to let the right hon. Gentleman (Mr. A. J. Balfour) carry his folly out. The right hon. Gentleman evidently believes that by subventions like this he can favourably affect public opinion in Ireland with regard to his policy, and I think, Sir, there will be a certain political usefulness, and even a certain moral utility, in allowing him to offer his policy or his bribes to the Irish people. I shall be pleased to see the Bill passed into law, because I believe that its working will destroy the last pretence that any policy of Imperial subvention can divert the Irish people from the path of moral rectitude or political justice.

Mr. CRILLY (Mayo, N.): I am going to vote in favour of the Bill, and I prefer not to give a silent vote. I want to repudiate once for all the idea that because I am going to support the Bill I am going to accept it as a bribe. It shows a very poor confidence in the patriotism and the strength of the Nationalist sentiment of our people for anyone to say the National cause will be weakened in Ireland for a moment by allowing the Government to spend this money in the development of the fishing and other industries of Ireland. Perhaps I would pursue the same course as some of my Colleagues if I did not represent one of the congested districts of Ireland. This may be a bribe, Sir, but I know what poverty and wretchedness exist in the district of North Mayo I represent—a district stretching from Ballina to Belmullet, a distance of 40 miles—and I am perfectly confident that if by some means you can open up that large tract of country you will contribute very largely to the happiness and comfort of those unfortunate people. I am willing to confess that there is very much indeed in the criticism that has been passed upon the Bill. I am aware that the two bodies that will be entrusted with power under it are bodies in which we have no confidence at all. I would, however, point out that my hon. Friend the Member for Cavan (Mr. Biggar), in opposing the Bill, said he had every

Mr. Blane

confidence in the Privy Council, because when the Privy Council was applying the Tramways Act they threw out a number of worthless schemes. I have no doubt that if worthless schemes under this Bill come before the Privy Council and Chief Justice Morris they will reject them also. I found my justification for supporting the Bill partly on the statement of my hon. Friend and Colleague, but, as far as I can judge, the opposition offered to the measure by some of my hon. Friends and Colleagues around me relates more to matters of detail than to the main principle. I repudiate the idea that this can bribe the Irish people, because I have more confidence in the strength of the patriotism of my countrymen than to think that they would be turned aside from the pursuit of self-government by a consideration of so trivial a character, and I would hesitate, knowing the poverty and wretchedness of these districts, before I rejected such a measure as this. For my own part, I do not particularly care for the British taxpayer. England has taken a large amount of money out of Ireland, and I think we are justified in getting some of it back when we have the opportunity. You have made the poverty and wretchedness of Ireland by your misgovernment, and it is therefore your duty to make us some sort of compensation. I am aware that if we had self-government—if the principles advocated by the hon. Member for Bradford (Mr. Illingworth) were applied to Ireland—it would undoubtedly be better to receive that money from an Irish Parliament, and have it applied by Irish Local Authorities, created and nurtured by an Irish representative body. But at present there are people in the West of Ireland who are undergoing daily and hourly suffering, and anything that will help to develop the fishing industry of that part of Ireland we ought to welcome, and certainly ought not to oppose. If some sort of communication were opened up with the part of Ireland which I represent, you would find the same sort of testimony from Mayo and Galway as I have here in the Report of the Inspectors of Irish Fisheries. The hon. Gentleman the Member for Kirkcaldy (Sir G. Campbell) has asked where are the fish to be caught, if these railways are made? Now, in this

Report of Sir Francis Brady, which extends over 120 pages, it is shown that the fishing industry of Ireland, if properly looked after, would bring enormous capital to Ireland, and great comfort to countless people. I see from page 11 of the Report that last year we had a large demand for salted mackerel for America, as many as 4,000,000 of mackerel being caught, or over 53,000 barrels, a quantity representing 1,500 tons, or a money value of over £17,000 to the fishermen and curers. If this result can be produced in regard to one item of export to one country in the world, what might not be expected if you developed the fisheries sufficiently to enable fish to be supplied in the same way to the London and other markets? Some of those around me seem to sneer at what I am stating. My hon. Friend the Member for West Meath does not seem to agree with me, and I hope he will rise in his place and give the reasons for the faith that is in him. At all events, I, for one, am not content on this occasion to give a silent vote. I intend to vote for the Second Reading of this Bill, and I propose to go a step further than my right hon. Friend and Colleague the Member for West Belfast (Mr. Sexton.) I do not wish to thwart the right hon. Gentleman the Chief Secretary in his act of folly—if it be an act of folly. If it is found to be an act of folly the consequences will fall on his head; if it is not an act of folly, but one the benefit of which will fall on the Irish people, then let them have the advantage of the boon. If it be read a second time, the measure can either be referred to a Select Committee or be considered in Committee of the whole House. But it strikes me that you are proposing to put the application of the Bill into the hands of the wrong people. The Grand Jurors of Ireland are bodies in whom the people have no confidence. We believe that the money will, to a large extent, be wasted—that it will be, perhaps, misused to some extent; but, nevertheless, if you desire that the British taxpayer should pay us £600,000 we are willing to take it, in the expectation that it will do some good to our unfortunate people whom you have robbed and oppressed and degraded down to the present time.

The House divided:—Ayes 113; Noes 31.—(Div. List, No. 230.)

Main Question again proposed.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. PHILIPPS (Lanark, Mid): I am sorry the Government are not going to send this Bill to a Select Committee; if they did I think they would find that in many parts of Ireland the Bill was not regarded with favour. The Chief Secretary has told us we ought not to wait for the passing of this Bill until the Local Government Bill for Ireland has been passed. I do not think it would be such a terrible time to wait, for was not the Government programme an English Local Government Bill for last Session, a Scotch Local Government Bill for this Session, and an Irish Local Government Bill for next Session? We should therefore only have to wait eight or nine months, and surely it would be better for the Irish County Councils to deal with this matter than to attempt to force the Bill through this House at the tail end of a Session. Now we are asked to add to our National Debt, in order to make a present to Ireland. For my part I am rather sorry to have to vote against making railways anywhere. I am inclined to hold that the railways should be in the hands of the State, but that is not the nature of the Government proposal; under this Bill the Government is to spend public money in making the railways, and the promoters will reap the benefit. I notice that the second clause of the Bill begins very curiously. It says the Bill shall not extend to England or Scotland. Why not? There are many places in Scotland where light railways might be constructed at the public expense with considerable advantage to the people of those districts; there are, for instance, one or two villages in my own Division, which have no railway communication, but which would be greatly benefited by having it. I object to the Bill being framed in this way; if its provisions are good for Ireland, they must be equally good for England and Scotland; if it is a bad Bill, then it ought to be thrown out altogether. The Irish Members themselves are divided in opinion about it; the hon. Member for Galway is strongly

in favour of it, while the hon. Member for Cavan and other Irish Members are equally strong against it. I admit that it is a difficult thing for an Irish Member or any other Member to vote against a Bill which, whatever it may do for the public generally, must, for a time at least, be a benefit to his own district, because it is a benefit to any place to have money spent on it, English or Scotch Members would be put in a difficult position if the Government proposed to make say an unremunerative railway or canal in their districts. Their constituents would say that the spending of money among them was beneficial, and they would not understand the action of their Member, if on public grounds he voted against the scheme. I am glad to know that some Irish Members are opposing this Bill, despite the fact that it will temporarily benefit their districts. I have been sorry to hear one or two of them say they do not care a penny for the interests of the British taxpayer, for I do think that utterances like that lose the Irish cause some support. The hon. Member for Galway asks us not to check Irish development, or to delay it some eight or ten years until the Home Rule Bill is passed. I do not think so long will elapse before the grant of Home Rule to Ireland, and I do not hold that the English taxpayer ought to be called upon to give money as proposed in the Bill. The hon. Member for Galway has worked it out in his own mind that Ireland pays £8,200,000 to England and gets no benefit for it; and he argues that every penny raised in Ireland should be spent in that country—not necessarily in remunerative works. But is that principle one capable of general adaptation either to Great Britain or Ireland? Is it possible for money raised in a given district to be spent solely in that district? How, under such circumstances, could the Government of the country be carried on? I hold that money ought not to be given as a free gift, except in times of famine and distress, and that it should only be advanced when there is a fair chance of its being repaid. I regret there is no single Member on the front Opposition Bench present to give us his views on this Bill. We, below the gangway, suffer much from the *tu quoque* hurled at us in these matters. We are told

that our own leaders when in office agreed to spend money in this way. We do not care if they did. We should oppose such a proposal if submitted by a Liberal Government just as fiercely as we are now opposing this Bill. It has been said outside that the Radicals below the Gangway are something like the tail wagging the dog. I believe we are getting to wag it harder every day, and the sooner the Front Bench recognise that fact, the better it will be for the Liberal Party as a whole. [*Cheers.*] I do not think the Conservatives need cheer that statement as they are doing, for the harder the tail wags the dog the worse it will be for them. I beg to move that the Bill be read again this day three months.

*MR. SPEAKER: That Motion may not be made. The House has ordered that "The words proposed to be left out stand part of the Question."

MR. BIGGAR: I do not want to speak at any length on this stage of the Bill. At the same time, I wish to make some remarks upon the former discussions of the Bill. The right hon. Gentleman the Chief Secretary for Ireland has appealed to me to propound a scheme for the relief of the congested districts of Ireland. There is not the slightest doubt that in some parts of Ireland the bulk of the people live on small holdings of very indifferent land. In very many cases there is adjoining these holdings comparatively good land owned by the same landlord. It does not require a very great sketch of ingenuity to point out a very convenient way of remedying the present state of things. The great complaint in the Highlands and Islands of Scotland was that the crofters were kept to small pieces of land, while the grazing land was taken from them for deer forests and sporting lands. I am disposed to suggest the inversion of that principle in the case of Ireland. I suggest that in the congested districts of Ireland the land adjoining the present holdings, and from which in all probability tenants have been evicted, should be taken by compulsion and cut up into small farms and added to the holdings of the people. That would afford the people a larger extent of land on which to employ their labour, and as a rule it would be better land than that they now hold. This talk about congested

districts is all moonshine and claptrap. There is plenty of land ready for cultivation in the immediate neighbourhood of every one of the so-called congested districts, and which could be let to the people at reasonable rent if the landlords were so disposed. The letting of this land would at once do away with the cry of congestion. To talk of improving the condition of these people by making railways amongst them is the merest nonsense in the world. Hon. Members say it will give some employment to the people while the lines are being made. Of course it will, but after all that benefit will only be temporary. The difficulty will recur as soon as the money is spent. If you will give increased holdings, which you are able to do, the benefit will be permanent. There is no occasion for the people of Ireland to emigrate. There is not too large a population now. The population has been cut down from eight to five millions, and the advocates of emigration would bring it down to three millions. They would emigrate the stout and young, and leave the old behind, and of course poverty would continue.

MR. A. O'CONNOR: I desire to say a word or two in explanation of the fact that, though I am one of the Members representing a county supposed to be specially interested in the passing of this Bill, I do not find myself able to support the Bill. If we had an Irish Parliament and the Bill were introduced, then I should not be able to support it. The fact of its being introduced here makes no difference in my judgment. The fact that the money is drawn from what is called the British Exchequer makes no difference in point of principle. I must admit I am rather sick of hearing about the British taxpayer and the British Exchequer. The money in question is not British money; it is Irish money, and if you doubled or quadrupled or multiplied by ten the sum you propose to advance or give under this Bill, the sum would not touch the fringe of the debt you owe to Ireland. When sums of money are to be voted as under this Bill for purposes in this country, we do not hear much of the interests of the Irish taxpayer. When you raised eleven millions sterling for fortifications abroad and spent it along your own coasts, you had

law which became possible under the *Isabella* decision, and shipowners would have had no inducement to build or alter their ships so as to bring them in the same category as the *Isabella*. But the right hon. Baronet in the Grand Committee allowed himself to be coerced by a group of shipowners into inserting the second clause in the Bill. I should have argued against that clause and have taken a Division against it, only as the right hon. Baronet knows, at the moment of the introduction of that clause the Grand Committee was so constituted that it would have been hopeless to oppose him. The second clause enacts that in the case of any ship measured after the passing of the Act the owners of that ship may deduct the light and air space over-deck from the gross tonnage, and take advantage of that deduction to deduct it from the nett tonnage, provided that the arrangement has the approval of a Board of Trade Surveyor as reasonable in extent. Well, the House does not know what the Surveyor of the Board of Trade may consider to be reasonable in extent. It is by means of her peculiar construction of over-deck spaces that the *Anglessa* has been able to plunder the Harbour Authorities of Dublin, and unless the Bill is amended so as to prevent this it will be worthless in regard to every ship built after the passing of the Act, because shipowners will take care to provide themselves with such lighting and air structures over-deck, that the question so far as future ships are concerned will remain where it stood after the *Isabella* decision, and before the introduction of the Bill. I regard such a thing with apprehension, because the Dublin Harbour Authorities have been plundered of £11,000 a year by means of the peculiar construction of the *Anglessa*, and they have, in consequence, been compelled to suspend important works, and to dismiss a number of officials. My Amendment, which would have been just even if the second clause had not been introduced, with that clause in the Bill is rendered absolutely necessary, because it is obvious that we shall have no security but the opinion of a Surveyor of the Board of Trade against the multiplication of *Isabellas* and *Anglessas*. There is nothing novel in the Amendment; its

Mr. Staiton

principle is already in the Bill. I have not heard anyone say that 50 per cent is an unfair limitation of deduction for propelling power, and light and air space. I do not remember that in the Committee anyone had the courage to say anything of the kind. I would submit to the shipowners that it is to their interest to favour the Amendment, because there are at the present moment 9,000 steamers sailing under the flag of the British Mercantile Marine, the greater number of which pay not on half their gross tonnage, which would be the maximum they would pay on under my Amendment, but on two-thirds. I am assured on the best authority that if the Amendment were carried it would apply to only 350 steamers out of the 9,000. I see opposite an hon. Member who spoke in the Grand Committee, and who is certainly the ablest representative of the shipowning interest in the House, and I put it to him whether it is not discreditable for a large body owning as I say 9,000 vessels, to resist an Amendment of this kind, to shelter the owners of 350 ships who have taken advantage of the law, and have either built or altered their ships so as to enable them within the influence of the decision in the *Isabella* case to evade the payment of just tonnage dues. I would point out that the proposal on this subject of the Royal Commission which sat eight years ago (paragraph 43) (g) was accompanied by the following proviso:—

“ Provided always that the deduction for propelling space shall not exceed 33 per cent. of the gross tonnage of screw and 50 per cent. of the gross tonnage of paddle steamers.”

I do not propose to deal with screw steamers differently than with paddle steamers. This recommendation was signed by several hon. Members opposite and others, including Mr. Norwood, Sir John Stokes, Sir Edward Reed, Sir J. P. Corry (Member for Mid Armagh), and the late Sir William Pearce. They signed this proviso; and now when I propose to give the shipowners an allowance, not of 33 per cent for propelling space, but of 50 per cent, I trust they will see the equity not only of abstaining from opposing the Amendment, but of supporting it. Then, as to the practice of foreign countries, the almost universal practice is to allow 50 per cent

for light and air space. In France it is 40 per cent. The United States is the only maritime country where there is no deduction on account of propelling space, but that is due to the fact that the system of deduction from the gross tonnage has not yet been introduced in that country. If my Amendment is adopted, it will be an indication to ship-owners that they must not begin to build or alter ships in the style of the *Isabella* or the *Anglessa*. Unless the right hon. Baronet assents to the introduction of the Amendment, I shall be obliged to divide the House against Clause 2, which practically means the repeal of Clause 1. I will only further say that the Bill does not carry out the pledge which the right hon. Baronet gave to the Harbour and Dock Authorities; that it will not remove the grievance; and that the question of this unredressed grievance, which will be all the more galling as an opportunity for redress has arrived and has not been availed of, will continue to press itself embarrassingly and continually on the time of this House. I beg to move the Amendment on the Paper.

New Clause (Maximum deduction for gross tonnage).—(*Mr. Sexton*.)—brought up and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

**SIR M. HICKS BEACH*: The grievance which the Harbour and Dock Authorities brought under my notice now some months ago, and which I endeavoured to remedy by the introduction of this Bill, is that in calculating the nett tonnage of a ship for dock or light dues, deductions are allowed for crew and light and air spaces which have not been previously reckoned in calculating the gross tonnage of the ship. That grievance, I venture to say, is effectually removed by the provisions of the Bill. The first clause provides that in the measurement of a ship for the purpose of ascertaining her registered tonnage no deduction shall be allowed in respect to any space that has not been first included in the measure-

ment of her gross tonnage. The Bill originally consisted exclusively of the first clause, and in that shape it was referred to the Standing Committee, the great question at issue then being whether that clause should be retrospective or not. After very careful, painstaking, and patient discussion of the point at issue, the Standing Committee agreed, by a large majority, to limit the retrospective effect of the clause in the manner now provided by the Bill—namely, that the section shall not apply until after the expiration of five years from the date of the passing of the Act to existing ships. I should have been very well content if the Bill passed by the Standing Committee had contained nothing more than that first clause; but the Standing Committee thought fit to insert the remaining clauses now included in the measure, those clauses being placed on the Paper by hon. Gentlemen possessing a great knowledge of this subject. They were framed on the recommendation of the Royal Commission, and contain propositions to the fairness of which I could take no exception. I doubted the wisdom of adding to the Bill, but the Committee overruled my objection and inserted these fresh clauses. The right hon. Gentleman the Member for West Belfast will admit, I think, that what I have stated is correct, but he complains that the second clause which was inserted in the Bill on the Motion of the hon. Member for Armagh will in future give to ships built or measured after the passing of this Act such allowances as will reduce their net tonnage almost as low as it has been possible to reduce it hitherto, owing to what is known as the *Isabella* decision. But let me point out that there is nothing unfair in the clause itself. The light and air spaces to which it refers under the law as it at present stands have been allowed, I think, very unfortunately, to be deducted in calculating the net tonnage of a ship, but not to be first included in calculating its gross tonnage.

MR. SEXTON: With a premium added.

**SIR M. HICKS BEACH*: Yes. Now, the clause provides that, if the owner of a ship so requires, those light and air spaces may be included in calculating the net tonnage, provided that they

which was first introduced in the measure—
ment of the great wharves. That is
proposed; and

Mr. FRYTON: No; because 75 per
cent is added.

Mr. M. HICKS BEACH: That is the
case. But what has been said about air
space? I venture to say they are of
the greatest importance to the safety
of the ship and the health of the crew;
and it is a very natural result of the desire of
shipowners, as everyone practically
concerned with the subject will admit,
to arrange in every fair way the pro-
portion of light and air space as
prescribed by the Bill. The right hon.
Gentleman thinks that shipbuilders in
future will make these spaces so
large that they will obtain deductions
in propelling power sufficient to ren-
der the voyage liable to dues almost
nil, as has been the case with a
certain class of ships under the *Labelle*
Act. Let me remind the right hon.
Gentleman of what I stated before the
Committee as to this clause, and the
Amendment that was inserted in it at
my instigation that

"Such spaces cannot be included in the
measurement of a ship, or deducted unless the
Surveyors approved by the Board of Trade
certify that the portion so framed is reason-
ably scant."

I can assure the hon. Gentleman, if it
is any consolation to him, or to those
on whose behalf he is speaking, that I
will take care to provide that such rules
shall be framed by the Board of Trade
for the guidance of its surveyors as will
effectually prohibit any such evasion of
the clause as the right hon. Gentleman
fears is likely to occur. I think that
is all I have to say with reference to
proposal of the right hon. Gentleman.
I do not think his Amendment would
be fair to a certain class of ships.
Looking at the large amount of light
and air space that is necessary for
working of their masts
result in a large in-
dues charged to
under the *Labelle* Act
charged to such ships.

Sir M. Hicks B

under the law as it stood before the
Labelle Act. I do not think it is
an alteration that Parliament ought to
make, and I resisted it when the right
hon. Gentlemen proposed it in the
standing Committee.

Mr. SEXTON: I never proposed it.

Mr. M. HICKS BEACH: Well,
when a proposal was made by another
hon. Member, and a suggestion was
offered for the limitation of that
proposal by the right hon. Gentleman.
The Bill, which relates to a very tech-
nical and difficult subject, has been a
matter of most careful consideration by
the Standing Committee, and I hope
that the House will adhere to the
decision at which the Standing Com-
mittee, by a large majority, arrived,
and will pass the Bill in its main pro-
visions as it stands.

Mr. NORRIS (Tower Hamlets,
Lancashire): I rise to support the
Amendment of the right hon. Gentle-
man the Member for West Belfast,
though in so doing I am sorry to place
myself in conflict with some of my
warmest Friends on this side of the
House. In this matter I represent the
whole of the Docks on the north side
of the Thames; therefore, the House
will admit that I have a right to speak
on this occasion. I represent some
£20,000,000 whose shareholders are
languishing for want of dividends,
whilst my hon. Friends, the shipowners
around me, represent capital that has
been returning handsome dividends for
some time. I am not hostile to the
shipping interest, but I think this Bill
does not provide for a safe, fair, and
proper equilibrium between the interests
of dock companies and those of the
shipowners. This subject is somewhat
complicated and technical, as the clause,
in the original Act dealing with ton-
nage measurement amply testifies.

I have only found myself, after days and
weeks of careful study, able to master
the technicalities of the present Bill,
hon. Member, a large shipowner,
informed me that he took four and
hours to read the Bill, and in-
was completely mystified. Still,
let look at the merits of the
Bill. It is owing to the extremely

Acts on that
difficulty in
has arisen.

What we now require is a clear and consistent measure. So far as I understand it, the Bill does not interfere with the great shipping interests of the country. It will not interfere with hon. Members of this House, but only with those people who are endeavouring to take advantage of a clause in an Act of Parliament to evade payment of dues which it was never intended that they should evade. The second clause, as the right hon. Gentleman the Member for Belfast has pointed out, is opposed to the first, as it will enable the Board of Trade surveyor to vary that provision. It will be seen, as the right hon. Gentleman (Mr. Sexton) has stated, that this will affect but a small and almost infinitesimal part of the great shipping interest, only some 350 ships out of 9,000 registered in the United Kingdom. The *Anglessa*, with 877 tons gross measurement, was registered at only 160 tons; the *Duchess of Sutherland*, 446 tons, was actually registered at 101. Therefore advantage is taken somehow of Dock Companies, Harbour and Pier Trusts. It is monstrous that ships carrying cargoes of 500 or 600 tons should pay only on 45 or 50 tons. With regard to the suggestion that the Bill as first drawn was retrospective, I venture to say that, in the first instance, it was only a prospective Bill. I venture to think that if the Chancellor of the Exchequer became aware of a man returning his income at £3,000, and that his income was actually £5,000, he would not consider it a retrospective policy if he were required to pay on the higher amount at once. Take another illustration. If the Chancellor of the Exchequer suggested, with some ground of fairness, that the domestic department of a house should be exempt from Property Tax, I do not think that he would admit that a man paying Property Tax should deduct from the value of that Property Tax, not having first added that proportion. But shipowners would deduct from the tonnage of their ships what, in the first instance, they did not add. I was surprised, I must say, that the right hon. Gentleman the Member for Birmingham should have said that they should

Birmingham
Committee
five years of

grace before coming under the provisions of the Bill; and, for my own part, if it had not been proposed by so high an authority, I should have put an Amendment on the Paper that three years would be a sufficient allowance to make to shipowners. I think, on any ground, there is just cause for moving the Amendment. I believe myself that if the House looks at it in a common-sense way, hon. Members will agree that 50 per cent for propelling power is amply sufficient allowance. All other countries allow a deduction of only 50 per cent, and in France only 40 per cent is allowed. It will not affect the great ship-owning firms of the country; it will not affect those which are reasonable and fair; it will only affect those who wish to evade the law; and I would therefore appeal to all hon. Gentlemen who represent the outports of the Kingdom, and those who represent constituencies like those in the East End of London, interested in docks and shipping industries, to support the Amendment, for it is certainly only just towards dock property, and I think the House will feel it meets the justice of the case.

SIR HORACE DAVEY (Stockton): I approach this subject with a great deal of diffidence, because of the extremely technical character of the subject. The hon. Member who has just spoken has demonstrated in a highly picturesque manner the extreme difficulty any man who is not a Senior Wrangler must experience in understanding how the measurement of the tonnage of a ship is arrived at. But there are certain things that even an inexperienced person like myself can understand. I must say, the way in which this Bill came out of the Standing Committee was disappointing to many of those at whose instance the Bill was introduced by the right hon. Gentleman the President of the Board of Trade. Experienced persons say that the second clause, framed as it is at the present time, will not have the effect of preventing evasions of the law in such cases as that known as the *Anglessa* case, though, to a certain extent, it will prevent cases like the *Isabella* case, which was a question of crew space. It will, to a certain extent, prevent a recurrence of cases like that of the

Isabella, so far as that related to crew space; but it will not prevent any future case like the *Isabella* as regards light and air, as experienced persons tell me. It seems to me that the Amendment the Lord Mayor of Dublin has proposed is quite consistent with the provisions of the Bill as it has come out of the Standing Committee, and at the same time it is consistent with the practice of other countries. In a country like this surely it is of great importance that the law in relation to the measurement of the tonnage of vessels for the purpose of dock and harbour dues should be brought into harmony with that of other maritime countries. The right hon. Gentleman (Mr. Huxton) does not propose a proviso to the second clause. He proposes a subsequent and general clause. His proposal is, in substance, that in no case shall a greater reduction be allowed for propelling power than 50 per cent. of the gross tonnage—though I may not be absolutely correct, that is the general effect. We find when the exceptions were introduced in the first clause in the Standing Committee that it is provided that these exemptions shall not extend to any ship in cases where the propelling power space exceeds 50 per cent. of the gross tonnage of the ship. So that, by their amendment of the first clause, the Standing Committee recognized and gave effect to the principle that the propelling power space should not exceed 50 per cent. of the gross tonnage.

*SIR MICHAEL HICKS BEACH: If the hon. and learned Gentleman will allow me, that is not quite so. The effect of the Amendment is this—it leaves to ships which would have more than 50 per cent. allowance for propelling power that allowance for propelling power, under the law as it stood before the *Isabella* case, so long as they choose to claim it, but it forbids them the advantage of five years' exemption from the first part of the first clause. That is the meaning of the Amendment.

SIR HORACE DAVEY: I am much obliged to the right hon. Gentleman for his explanation; it is a matter not easy to understand; but I am not sure that I differ at all from the right hon. Gentleman the President of the Board of Trade when I say that in the first clause this general principle is laid down—

Sir Horace Davey

that of a ship for the purpose of her tonnage is to be taken from the gross tonnage that has not, in the first instance, been included. But then follow certain exemptions, among others that vessels which have been measured under the *Isabella* decision are to retain the advantage they obtained by that measurement for five years, but then there come words providing that this exemption—that is, the *Isabella* exemption, to put it shortly—shall not extend to any ship in a case in which the allowance for propelling power space exceeds 50 per cent. of the gross tonnage of the vessel. I may be wrong; I dare say I am; but if I am, I am quite willing to be corrected. But I take it the meaning is that in the *Isabella* case the period of five years' exemption if the propelling space exceeds 50 per cent. of the gross tonnage attaches. That is how I understand it. Well, I say that in the first clause as it stands in the Bill the principle that the propelling power space should not exceed a certain percentage, in this case 50 per cent. of the gross tonnage, has been admitted, and now I understand the object of the Amendment of the Lord Mayor of Dublin is to make this principle, admitted into the first clause, so far as the exemptions are concerned, applicable to the whole of the Bill. The right hon. Gentleman has good authority for that. He has quoted from the Report of the Royal Commission the plain words used by Members of that Commission who are still Members of this House, and whose support, therefore, he ought to have, recommending that the reduction for propelling space should not exceed 33 per cent. in the case of screw steamers, and 50 per cent. in the case of paddle steamers. There is authority, too, in the practice followed by other countries. In every other country in the world except the United States, whose system of measurement is based upon a different principle to that adopted in this country—I believe every Continental maritime country fixes the maximum of propelling space which shall be deducted from the gross tonnage to ascertain the registered tonnage. That Amendment before us follows

It proposes to alter the right

hon. Gentleman would be attached to 50 per cent—but, at any rate, he proposes to adopt the principle of limiting the maximum deduction to be made from the gross tonnage in respect to propelling power space which has been adopted in foreign countries. I will not go into further details. It is a curious arithmetical problem to arrive at the registered tonnage of a ship. It is a complicated proceeding; but I think the right hon. Gentleman (Mr. Sexton) is well justified in bringing this Amendment to the attention of the House, because it only carries into effect the recommendation of the Royal Commission; it is in accordance with the practice of other maritime countries, with the exception of the United States; and it is in harmony with, and in furtherance of, the remedy of the grievances which were the main cause of the Board of Trade bringing this measure before the House.

*MR. C. H. WILSON (Hull, W.): I think the right hon. Gentleman the President of the Board of Trade would act wisely to accept the Amendment. Shipowners generally would not be affected by it, so I may speak with impartiality—only some 320 steamers out of 9,000 would be affected. The right hon. Gentleman (Mr. Sexton) has in mind, I think, principally the passenger steamers running between this country and Ireland, and these do not concern the general shipping interest, they principally belong to the Railway Companies. It is a question for our Irish friends to consider how far the proposal may affect the rate of carriage for goods and passenger traffic across the Channel; but shipowners generally have no objection to it. I know that now, under the peculiar system of the Board of Trade, there are small steamers that almost arrive at a point where they would pay no dues at all. Indeed, I know myself a case of a steamer bought for towing purposes that under the Board of Trade rules would work at a measurement of half-a-ton less than nothing. This shows the utter absurdity of the system. If the Amendment were accepted it would, so far as I am able to judge, make the task of surveying more simple and effective, avoiding all complications. The only point I would say is that there ought

to be an exemption of steamers used solely for towing or river purposes. Perhaps the right hon. Gentleman would be prepared to accept that addition to his Amendment.

MR. SEXTON: Yes.

*MR. C. H. WILSON: I really do not see why the Amendment should not be accepted; and, as a shipowner, I would advise the Government not to divide against it.

MR. CRAIG (Newcastle-on-Tyne): I beg to be allowed to make the following addition to the Amendment:—

“Unless such ship be used exclusively either for towing purposes or as a river steamer.”

*MR. SPEAKER: That should come after the clause has been read a second time.

MR. SEXTON: Perhaps I may be allowed to say, for the sake of clearness, that I shall be prepared to accept such an Amendment.

The House divided:—Ayes 67; Noes 104.—(Div. List, No. 232.)

*MR. C. H. WILSON (Hull, W.): The Amendment I have to move deals with the question of those ships measured under the *Isabella* decision, and retaining their advantage for five years. When I raised the question in Committee there was a certain amount of confusion at the moment, and I do not think hon. Members quite understood the point, and the Chairman ruled that the point where it would come was passed. I therefore venture to repeat the Amendment now, which is to make the exemptions under the *Isabella* rule applicable to ships that are re-measured before the passing of this Act. If we read a little further we find that ships building come under the exemption, or if re-measured before March 10, 1889; and I propose to leave out this reference to that date, and make the exemptions applicable to ships building and to be registered before December 10.

Amendment proposed, in page 1, lines 22 and 23, to leave out the words “tenth day of March one thousand eight hundred and eighty-nine,” in order to insert the words “passing of this Act.”
—(Mr. Charles Wilson.)

Question proposed, “That the words proposed to be left out stand part of the Bill.”

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differently treated. There is no defence for such a proposal as this. I ask that the second clause shall not apply, when the deduction for propelling power space would exceed 50 per cent of the gross tonnage.

Amendment proposed, in page 2,
20, at the end of Clause 2, to in-
words

shall not be included in any case in which, if its being included, the deduction for propelling power space would exceed 50 per cent of the gross tonnage of the ship. The space occupied by the propelling power space of the engine room would, if included, qualify for a deduction of the gross tonnage.—(Mr.

Amendment proposed, "That those words be inserted."

*SIR M. HICKS BEACH: I can only assure the right hon. Gentleman that he exaggerates the possible effect of this clause for two reasons. In the first place, the light and air space before it is deducted, must be added to the gross tonnage; and in the second place, the light and air space must be reasonable in extent, and by the rule of the Board of Trade it will be rendered impossible that these exaggerated deductions can be obtained as they have been obtained. I think that the right hon. Gentleman if he adheres to his view should object to the clause as a whole.

MR. SEXTON: So I shall.

*SIR M. HICKS BEACH: It would be useless to oppose the clause, and then to prevent its application by such an Amendment as that which he has moved.

The House divided:—Ayes 72; Noes 142.—(Div. List, No. 234.)

Further Amendment proposed, Clause 3, page 3, line 21, after "measuring" insert "or be measuring."

Amendment agreed to.

Clause 5.

*MR. C. H. WILSON: On this clause I have an Amendment to propose. I desire to have the words "partial or entire" inserted. I think it is a question in the minds of Surveyors of the

action
shut out
be possible
up under the first
deduction from the
respect of overdeck
space, for the simple
the first paragraph of the
prevents him from including that
lead light and air space in the gross
tonnage, and, therefore, he can make
no deduction in respect of it. What is
the position of the owner of the ship?
Under the second clause—there is not a
shred of consistency in principle—he
goes to the Board of Trade, and, upon
petitioning, he can deduct first the over-
deck light and air space from the gross
tonnage, and then he can deduct 75 per
cent from the nett. I can assure the
right hon. Gentleman that by manipu-
lation of the over-deck light and air
space such ships as the *Anglo* will be
able to cheat the harbour authorities. I
should have thought that the owners of
existing ships would not have clai-
med separate treatment. One
not be allowed to make any dedu-
of light and air space, whilst the
class of ships will be able to make a
considerable gain by
clause. I cannot
reason why th

*SIR MICHAEL HICKS BEACH: This question has been carefully considered, and it was felt by the Standing Committee that the exemptions ought not to be wider than would be covered by a fair notice of the proposal. This Bill was introduced on the 10th of March, 1859, and the introduction of the Bill was considered as a fair notice to all shipowners that it was proposed to alter the law, and therefore the Committee held by a very large majority that the latest date for the exemption of ships already built or measured ought to be the 10th March, 1859.

*SIR D. CURRIE (Perth, W.): I shall support this Amendment, as it seems only fair that shipbuilders who have commenced building before the passing of the Act should have the benefit of the exemption.

*SIR A. ROLLIT (Islington, S.): I trust the right hon. Gentleman the President of the Board of Trade will accept this Amendment, and it seems to me that all retrospective legislation is objectionable, and it would not be equitable under the circumstances to add any further term of disqualification to the five years, as the Bill does. The President of the Board of Trade said that the introduction of the Bill was a sufficient notice; but it was not to be assumed that the Bill would pass.

The House divided:—Ayes 118; Noes 55.—(Div. List, No. 233.)

*SIR M. H. BEACH moved: Clause 1, page 1, line 27, after "eighty-nine," insert—

"Unless in either case the ship is, before the expiration of the said five years, measured or re-measured in accordance with the provisions of this Act, and any such ship may be measured or re-measured at the request of the owner."

Question proposed, "That these words be there inserted."

MR. SEXTON: This is intended to be a very simple remedy of one or two obvious defects of the law; but the Amendment of the right hon. Gentleman is one which will increase certain difficulties which I have observed in the Bill already. The Bill will make the law more complicated, very little less unjust, and a good deal more un-

certain than it was before. That is a curious effect of a Bill professing to reform. Observe the working of this clause, provided the Amendment of the right hon. Gentleman be added. In the first place the principle is laid down with regard to ships measured by the 10th March that no deduction shall be allowed in respect of any space not first included in the measurement of the tonnage. The third paragraph of the same clause says that the same class of ships measured by the 10th March shall be exempted from the operation of the Act in five years. It is very hard to discover why. Then a further provision is that the exemption just decided shall not be applied to any ship where the allowance exceeds the gross tonnage of the ship. The principle is practically defeated by the exemption, then the exemption is overridden by the proviso; and, now, the right hon. Gentleman wishes further to complicate the clause by providing that the exemption for five years shall not apply in the case where the shipowner wishes his ship to be measured.

*SIR M. H. BEACH: The object of the Amendment is to prevent owners from obtaining re-measurement under the advantageous provisions of the Bill, and at the same time retaining the exemption from the first clause. It would certainly be unfair to allow that, in the interests of the very parties for whom the right hon. Gentleman has addressed the House. This Amendment is really in their interests, and I can assure him that if it is not passed it will seriously injure the Harbour Authority.

MR. SEXTON: I can only say that may be so, but it only proves my argument that the complication is such that the Bill is unintelligible.

Question put, and agreed to.

*SIR M. H. BEACH moved: Clause 1, page 2, line 3, after "made," add—

"And the particulars relating to the ship's tonnage in the register book, and in her certificate of registry, shall be corrected accordingly."

Question, "That those words be there added," put, and agreed to.

*SIR M. H. BEACH moved: Clause 2, page 2, lines 5 and 6, leave out from "and" to "hereof," both inclusive.

MR. SEXTON: Will the right hon. Gentleman explain this Amendment?

*SIR M. H. BEACH: It is consequential to the Amendment the House has already agreed to in the first clause.

Question, "That the words proposed to be left out stand part of the Clause," put, and rejected.

MR. SEXTON: I have already said the second clause of this Bill repeats the first. It is the most peculiar Bill that ever came under my observation. I will explain how the second clause repeats the first. If such a ship as the *Isabella* by reason of deduction from propelling space and overhead light and air space has an allowance of 50½ or a fraction above 50 per cent, that ship is shut out from exemption. It would not be possible for the owner of that ship under the first clause to make any deduction from the gross tonnage in respect of overdeck light and air space, for the simple reason that the first paragraph of the clause prevents him from including that overhead light and air space in the gross tonnage, and, therefore, he can make no deduction in respect of it. What is the position of the owner of the ship? Under the second clause—there is not a shred of consistency in principle—he goes to the Board of Trade, and, upon petitioning, he can deduct first the overdeck light and air space from the gross tonnage, and then he can deduct 75 per cent from the nett. I can assure the right hon. Gentleman that by manipulation of the over-deck light and air space such ships as the *Angloesea* will be able to cheat the harbour authorities. I should have thought that the owners of existing ships would not have claimed to have separate treatment. One will not be allowed to make any deduction of light and air space, whilst the other class of ships will be able to make a considerable gain by the operation of this clause. I cannot discern the shadow of a reason why the two clauses should be

differently treated. There is no defence for such a proposal as this. I ask that the second clause shall not apply, when the deduction for propelling power space would exceed 50 per cent of the gross tonnage.

Amendment proposed, in page 2; line 20, at the end of Clause 2, to insert the words

"And shall not be included in any case in which, by reason of its being included, the deduction for propelling power space would exceed 50 per cent. of the gross tonnage of the ship, or in which the propelling power space below the crown of the engine room would, without such addition, qualify for a deduction of 50 per cent. of the gross tonnage.—(Mr. Sexton.)

Question proposed, "That those words be there inserted."

*SIR M. HICKS BEACH: I can only assure the right hon. Gentleman that he exaggerates the possible effect of this clause for two reasons. In the first place, the light and air space before it is deducted, must be added to the gross tonnage; and in the second place, the light and air space must be reasonable in extent, and by the rule of the Board of Trade it will be rendered impossible that these exaggerated deductions can be obtained as they have been obtained. I think that the right hon. Gentleman if he adheres to his view should object to the clause as a whole.

MR. SEXTON: So I shall.

*SIR M. HICKS BEACH: It would be useless to oppose the clause, and then to prevent its application by such an Amendment as that which he has moved.

The House divided:—Ayes 72; Noes 142.—(Div. List, No. 284.)

Further Amendment proposed, Clause 3, page 3, line 21, after "measuring" insert "or be measuring."

Amendment agreed to.

Clause 5.

*MR. C. H. WILSON: On this clause I have an Amendment to propose. I desire to have the words "partial or entire" inserted. I think it is a question in the minds of Surveyors of the

the Home Office conveying the whole site with the exception of a small portion, which the Bill provides is to be sold to the County Council, with the view of making a viaduct over Farringdon Street, but that portion was only valued at £1,700. Possession was taken of the site by the Office of Works in the month of March, 1888. Since that time about £14,000 has been expended under Votes of the House upon buildings—part of the buildings which it was proposed to erect. After this had been done there appeared to be some doubt as to the legal title of the Prison Commissioners to convey the site to the Post Office without a sale; and therefore the Government was advised to bring in a Bill to obtain the sanction of Parliament to a transaction which had already taken place under the authority of the Government. That was the origin of this Bill, which is intended practically to confirm the title of the Post Office to the property which was acquired by conveyance without a sale. I may point out if the Post Office had gone through the form of a sale it would have been something in the nature of a sham. It is thought that, in the circumstances, the course that has been adopted is the simpler and the more dignified. The property has been valued at £96,000, or say roundly £100,000. The acquisition of it puts the Post Office in a position to dispose of premises in Moorgate Street, in Gloucester Road, and at London Bridge, which up to the present have been used either as parcels depôts or as post office stores. The values of these properties are respectively £50,000, £9,000, and £28,000, making a total of £87,000, which it is proposed to realize for the benefit of the taxpayers of this country. But that is only part of the economy which has been effected. The acquisition of this property has also rendered it possible to abstain from making large additions to the new buildings at the General Post Office which otherwise would have been necessary for the Public Service: it will also be possible to dispense with new buildings in the East Central District; and in this way it is estimated by competent authorities that there will be a saving of not less than £226,000. Therefore by the acquisition of this site the country is a gainer of upwards of £300,000. It will also be possible to

give up premises at great railway stations rented at £3,000 a year, representing in capital say £100,000. Considerable saving will in addition be effected by transferring the factory business to Coldbath Fields from Gloucester Road; but as I am not quite satisfied with the precise figures given me on this point, I do not include them in my calculation. On the whole, the acquisition of the site represents a saving to the country of something like £400,000. For the first time we shall have a central sorting office for dealing with the Parcel Post work, and anybody at all familiar with the conduct of a public office, and with the trade of a carrier, will realize the immense public convenience of getting together the whole of the work. The three places at which the work is now carried on are rented at a very considerable sum, and are rapidly becoming inadequate for the work we have to do. It would, no doubt, have been necessary in the course of a very short time very largely to extend these offices, and to rent fresh premises at a very considerable increased expense. I may point out that the number of parcels dealt with weekly previous to the acquisition of that site was 139,000. In the one year and a half which has since elapsed they have increased to 215,000, or 56 per cent. It has been found possible to dispense with that enlargement of the General Post Office to which I have referred. In addition to other Departments, it has provided accommodation for the concentration of the Store Department, and it has also enabled us to obtain a sufficient site for a new factory for telegraphic purposes, the old one in Gloucester Road being greatly cramped. The staff of the Money Order Office, at present in course of demolition, will also be accommodated. All these purposes put together make it necessary for the Department to retain the whole of the site. Besides the ordinary work there come times of enormous pressure. For instance, in Christmas week, an addition of 700,000 parcels are dealt with, or about four times the number in any other week in the year. In view of the growth of the last year and a half, it would be idle to suppose the Parcel Post business has yet reached the highest point. In all probability the work will

go on increasing [by leaps and bounds, and before 20 years have passed even more extended accommodation may be required. The School Board for London were offered one acre of the site.

MR. J. ROWLANDS (Finchley, East): Can you say what price was to be charged for that acre?

*MR. RAIKES: I believe that was to be settled by arbitration, and that no price was named. Now, Sir, I believe I have made out a good case, both on the grounds of economy and efficiency, for the acquisition of this site. Of course, I know there are objections on the part of some Metropolitan Members and others. I do not know whether any hon. Member thinks it should have been handed over to the London County Council without any payment whatever. ["Hear, hear."] I am glad to have drawn that cheer, because otherwise the House might not have thought it credible that there was such an opinion. I would point out that this site is the property, not of the London ratepayers but of the taxpayers of the kingdom, and a more flagrant act of robbery and spoliation could not be committed against the taxpayers than to hand it over to the London ratepayers. The then Prison Authority declined to purchase the property.

MR. H. L. W. LAWSON (St. Pancras, W.): They did not decline to purchase it as an open space.

*MR. RAIKES: As far as the best information I can collect goes, they certainly declined to purchase the property at all. The only price at which the Government could possibly have parted with it to them would have been actually double or more than double, the amount which would have been offered. At the time the site was offered for sale the London County Council was not in existence, and if they had been, being men of business, they would no doubt have declined to purchase it at the price asked. The Government are trustees of the taxpayers' property, and it is the duty of

Mr. Raikes

the Government to see that the taxpayer is not fleeced or robbed or deprived of his rights. This principle has been so much recognised by the House of Commons in this very Parliament—that certain charges, which in former times were defrayed by the taxpayers at large in connection with the London Parks, have been transferred to, and accepted by the ratepayers of the Metropolis. In fact, if we were to hand over to the ratepayers the property of the taxpayers, we should be directly undoing the policy which Parliament has directly adopted in the treatment of this question. But I find that the ratepayers of the district most concerned are among the strongest supporters of this Bill. I hold in my hand a statement on the part of the Clerkenwell United Ratepayers' Protection Society to the effect that their society, as reflecting the opinions of the majority of the ratepayers of the parish, are strongly in favour of this land being utilized for the establishment of a postal department, in view of the great impetus that will thereby be given to business in the locality. They also state that the population of Clerkenwell is steadily decreasing, that the trade of watch-making is declining, and that it is becoming more difficult each year for the parish to support its poor. They further say that Clerkenwell at present has open spaces amply sufficient for its requirements, and actually larger in extent than those in Belgravia, and they add that the vestry on the 4th of this month expressed views in accordance with those held by the Society, and decided to memorialize the Government in favour thereof, and they most earnestly entreat for the benefit of the ratepayers, that the scheme will be carried through to completion. I think that where this is the opinion of the ratepayers, it would indeed be Quixotic on the part of the London Council to say that in the interests of the ratepayers in distant parts of London, they would add to the burdens and diminish the resources of the striving population of poor Clerkenwell. I am certain that if the matter were properly explained to the working classes they would sympathize with the reasonable demand of the ratepayers of Clerkenwell, a demand which is endorsed by no less than 26 to 1 upon the

Vestry. I do not think that in the history of the Post Office or of the Government a more advantageous arrangement than this has ever had been made for the Public Service, and I think it would be difficult for any philanthropist, however amiable, or for any gentleman who has run away with an exaggerated idea of the functions of that interesting new body, the London County Council, to persuade the House to set aside an arrangement which is so much for the benefit of the Public Service and so greatly to the advantage of the locality where it is proposed to erect the new building.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Raikes.*)

MR. J. ROWLANDS: In rising to move that this Bill be read a second time on this day three months, I shall try to traverse the statement of the case put forward by the right hon. Gentleman, and I shall not accuse him either in speech or action of being a philanthropist on this subject of the prison site in Clerkenwell. I think we have just been listening to one of the coolest statements ever put forward by a Minister of the Crown. It almost resembles the statement of a gentleman who has appropriated someone else's property and who wishes to show what great advantages have accrued to him from having got that which he never purchased. It would have been well if the right hon. Gentleman when he grew so eloquent about the interests of the taxpayers had told the House what the taxpayers ever paid for this prison site. Allow me to tell hon. Members that the taxpayers paid nothing. By the Act of 1877, passed when Lord Cross was Home Secretary, and which was one of the most confiscatory Acts ever passed, the whole of the prisons were taken over bodily for purposes of administration. The whole case of the Government is that either through negligence or willfully, they commenced operations on the site of Coldbath Fields Prison in contravention of the Act of 1877. I say that under that Act the "surplus if any"

alluded to in one of the clauses is to go not to the taxpayers of the country but to the ratepayers of the county. If that be so, it must at once be admitted that if the prisons are disused, the ratepayers have some claim to them. The Government think it a very good thing to annex this site for a very wealthy department, and thus to allow the people of London to provide them with a site. No doubt it would be an advantage to have the several departments referred to by the right hon. Gentleman concentrated in one place, but as they already have valuable property in the City and elsewhere, which it is proposed to give up, they could afford out of the proceeds of the property to purchase a new site where they require it. The Ratepayers' Association of Clerkenwell, whose memorial the right hon. Gentleman referred to, say that the population of Clerkenwell is decreasing. During the last few years, however, a number of huge blocks of model dwellings have been erected in the neighbourhood of the prison. Clerkenwell is, as a matter of fact, one of the most densely populated parts of London. It contains 340 acres, and its inhabitants number no less than 70,000. As to the open spaces, there are two small squares, comprising about 2 acres in all, on the estate of the Marquess of Northampton. There are other squares in Clerkenwell, but not one of them is at the disposal of the general population. The Vestry, in their Circular, speak of the New River Head as an open space—a reservoir surrounded by a high wall about 15 or 20 feet high! That is the sort of argument that has been put into the hands of hon. Members. I am not ashamed to be called a philanthropist by the right hon. Gentleman. I am not aware that it is a term of opprobrium, but if so, I am quite willing to bear it. I feel that the work I am carrying out is that of which no one need be ashamed. There is a history connected with these prison sites. In 1883, when the "Bitter Cry of Outcast London" startled the humanity of London, a Royal Commission was appointed to investigate the question of the housing of the working classes. That Commission sat for somewhere about three years. It was decidedly a strong Commission. It contained some of the

Mr. J. Rowlands

House adjourned at five minutes
after Twelve o'clock, till
Monday next.

HANSARD'S PARLIAMENTARY DEBATES.

No. 9.]

SIXTH VOLUME OF SESSION 1889.

[JULY 30.]

HOUSE OF LORDS,

Monday, 22nd July, 1889.

PRIVATE BILLS (ALTERATION OF MEMORANDUM OF ASSOCIATION.)

Message from the Commons that they have appointed a Select Committee of five Members to join with the Committee appointed by this House

"to consider and report under what circumstances, or upon what conditions, if any, private Bills altering the terms of the memorandum of association of companies ought to be allowed to pass."

MERCHANT SHIPPING (TONNAGE) BILL

Brought from the Commons; read 1st; to be printed; and to be read 2nd on Thursday next.—(*The Lord Balfour*). (No. 174.)

HERRING FISHERIES (SCOTLAND) BILL (No. 149.)

Returned from the Commons with the amendment agreed to.

INDUSTRIAL SCHOOLS BILL. (No. 154.)

Order of the Day for the House to be put into Committee (on Re-commitment) read.

EARL BROWNLOW: My Lords, Her Majesty's Government have considered their position in regard to this measure, and in view of the state of business in another place, I think I should only be putting your Lordships to useless and unnecessary trouble if I asked the House to further consider this Bill. I beg, therefore, to withdraw the Bill from the consideration of the House, and I propose as early as possible next Session to bring in a Bill dealing with the sub-

ject. As originally introduced, the Bill had in it a clause dealing with juvenile offenders, and the Standing Committee are of opinion that that subject hardly comes within the scope of this Bill. I have, therefore, promised to take it out of the Bill, and to introduce a separate Bill dealing with the subject-matter of the clause. That promise I have carried out in the Juvenile Offenders Bill, which now stands on the Paper for Second Reading.

LORD NORTON: I hope that the Amendments which have been made by the Standing Committee, and which are embodied in the reprint of the Bill, will be adopted in the Bill which the noble Lord has now suggested is likely to be brought forward at the commencement of next Session; and that all the Amendments still standing on the Paper which are considered to be of very great importance by those who take an interest in the subject will be considered by the Government in framing the new measure.

Order discharged; and Bill (by leave of the House) withdrawn.

CRUELTY TO CHILDREN (PREVENTION BILL (No. 160).

Order of the Day for the Second Reading read.

LORD HERSCHELL: My Lords, I am quite sure the object of this measure will enlist the sympathies of your Lordships, even if there should be some differences of opinion on points of detail. It aims at securing to young and helpless children protection from cruelty, and extending to them more effectually than hitherto the guardian arm of the law. The Bill proposes, in the first place, to make it a punishable offence to ill-treat a child, either actively or by neglect; to extend, in short, to children

that protection which has long been afforded to animals. Although hitherto it has been an offence to work a horse when its condition makes that work torture to the animal, it has been no offence to treat a child in that way. My Lords, I think that there will not be much difference of opinion upon that provision, but that your Lordships will consider it is very unsatisfactory that the law should be in that condition. I confess the more I have looked into this matter the more I have been astonished and alarmed at the amount of cruelty practised in this country. If any noble Lords should have doubts upon the subject, I would ask them to read the Report of a few years' work only of the Society for the Prevention of Cruelty to Children, and they will find enough there to show, even if they discard everything which has not stood the test of a Court of Justice, that there is an evil existing which urgently calls for a remedy. My Lords, the first section of the Bill deals with offences of this description by rendering offenders liable to fine or imprisonment for a short term. It deals also specially with that class of cases—unhappily, too frequent—where those who ill treat the children have a pecuniary interest in their death. There are many cases where those who have charge of children are only too glad if anything happens to them likely to injure their health and endanger or put an end to their lives. Of course, it is very often extremely difficult and even impossible to prove that such has been the object, and yet one may entertain the conviction beyond a doubt that, if it had not been for the pecuniary interest which persons had in a child's death, the care bestowed upon it would have been greater and its treatment more humane. My Lords, the Bill proposes to deal with that class of cases in this way—that where it is proved that the person ill-treating a child had a pecuniary interest in its death a more severe sentence may be passed and the fine increased to £200. I cannot doubt that your Lordships will think that is a just and right provision. There is no doubt that cruelty prevails to a very considerable extent in cases where the child is entitled to property which will come to the parent or guardian on its death, and that there are many cases where the motive for want of care is to be found in the fact

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that the child's life has been insured. That, my Lords, has been done to a very great extent in this country. I think the distinction which this Bill draws between the punishment inflicted upon those who have such a motive and those who have not is one which I need not justify to the House. The next provision of the Bill deals with the case of children begging in the streets. Hitherto a child who begs has been treated as having committed an offence; but the person who sent the child into the streets to beg, and who would punish it for not begging, has entirely escaped liability, although generally such person was more to blame than the child. The Bill proposes to inflict a penalty upon those who send children out to beg. The next provision to which I will call attention relates to children who are selling, singing, playing, or performing for profit. It prohibits such employment between the hours of 8 p.m. and 5 a.m. in the winter, and between 10 p.m. and 5 a.m. in the summer. This is not an enactment which is without precedent. It is already to be found in some local Acts, and some of the most important towns in the country have made bye-laws under Street Traffic Acts containing similar provisions, which have been found to be effectual and free from any injustice. This Bill proposes to make the provision general and to enable it to be enforced. My Lords, so far I think I have covered the ground which in the other House was left substantially free from controversy. I now come to a provision which in some measure has been made the subject of hostile attack, and that is the provision that children under 10 years of age shall not be caused or procured to be employed in any street or in any premises licensed for the sale of intoxicating liquor or places licensed for public entertainments. One part of that provision has not met, even from those who are opposed to it, with anything like general opposition, because I think that even those who desire its modification agree that the provision ought to stand as far as it relates to selling or performing in public houses and in the streets. The objection taken has been to extending the enactment to places licensed for public entertainments. Obviously, therefore, considering the limited area of opposition, that is a matter

which would be most properly dealt with in Committee. Under these circumstances, I shall not detain your Lordships upon the matter now at length; but it is only fair to those who have strongly opposed the provision in the respect which I have mentioned that I should state the views which I entertain, and which I ask the House to adopt upon the subject. I think it right, therefore, that I should make allusion to the objections which have been raised. It must be remembered that in thus prohibiting the employment of children under 10 years of age in theatres and other places of public entertainment, no invidious distinction has been made between theatres and other places licensed for public entertainments. The law has long prohibited the employment of children of tender years in factories, and there exist similar restrictions with regard to agricultural employments. Therefore the clause only extends to theatres, a form of legislation which Parliament has thought proper to apply already in many cases. The question which your Lordships will have to consider is whether, looking at it broadly and as a whole, the employment of children of tender years in places of public entertainment is calculated to secure or to injure their physical and mental well-being. I say this, because it must be remembered that this is a general enactment. It does not deal with one particular kind of place of entertainment. It deals with all, and the question must be looked at as it will affect children of tender years who may be found there. It is no answer to the arguments used in support of such a prohibition to say that there may be a class of public entertainments, even if that could be established, in which children can be suitably employed, for your Lordships must look at the matter as a whole, and consider what is the result of children of tender age being employed in places of public entertainment throughout the country. My Lords, it has been said that there are many theatres where children are well cared for, and guarded from anything that is likely to hurt them; but even if that be so, in considering this clause you must consider not what might be established as regards a particular theatre, but you must consider the case with regard to all places of

public entertainment (which are of much wider extent throughout the country than theatres) as a whole; and I cannot help thinking that if the matter be thus regarded it will be found there is not that security for the well-being of children of tender years when so employed which we should all desire should be extended to them, though no doubt there are places of public entertainment throughout different parts of the country, and the Metropolis, too, where I imagine they would be carefully guarded and shielded from harm. Of course, the line as to age must be drawn somewhere; we are not dealing simply with children on the verge of 10, the provision is equally applicable to all children of tender years. In the case of acrobatic performances and performances of that description, children of tender age ought not to be allowed so to perform. But, my Lords, is that the only case in which we can feel justified in saying that in places of public entertainment in this country children of tender years require the protection which this provision seeks to extend to them? I am told that in many cases they are detained in the theatres to a very late hour at night; that sometimes for weeks during the time of rehearsals they will find their way home at 2 o'clock in the morning; and when we consider that this may be applicable to children, five, six, and seven years of age, I cannot help thinking that we have no sufficient security to justify us in saying that at all times, and in all cases, the well-being of the children is cared for. I, therefore, make answer to those who allege that in particular instances the children would not be injured that we must deal with the matter as a whole, and that it is incumbent upon those who seek to make objection to show, dealing with these places of public entertainment as a whole, that children of tender years should be allowed to be employed there. My Lords, it may be urged against this provision by some that, so far from the children suffering from such employment, they rather enjoy taking part in dramatic performances. I will only observe that many children would be delighted to stay up night after night entertaining themselves in a way which would be injurious to their health, and which we should not think of permitting for a moment. I think what the obit-

dren themselves would like or enjoy cannot be made a test for a moment. Then it is said that the provision will prevent children from earning money and that it is hard to prevent them earning money which adds to their material comfort and to the well being of themselves and of the households in which they lived. That, my Lord, is an objection which strikes at the root of all this legislation. It is as true with regard to factory and agricultural employment, and in other cases where there is prohibition, as it is to this particular case, and I cannot think that is an argument which ought to be yielded to. Then, my Lord, it is argued that actors themselves will suffer as regards success in their profession from such a prohibition. I fail to see the evidence that it is essential to success in the theatrical profession that a child should begin to learn it before attaining 10 years of age. I have never heard or read of any evidence in support of that argument, or showing that that is likely to be the case. I believe that in France, where the dramatic art is supposed to stand at least on a level with its position in this country, the employment of children in it does not exist to any such extent as with us, and I do not know that it is at all essential for children under 10. Cases have been cited where actors and actresses began at a very early age; but instances to the contrary have also been cited where they did not commence at a tender age. Therefore, it is no more proof that some actors and actresses who have been successful have succeeded because they began their work on the stage before they were 10 years of age than that others have been successful because they began their work there at a later period. My Lords, I do not myself lay any great stress upon the moral effect upon the children. I cannot regard the danger to morals as at all greater between the ages of 8 and 10 than it is between 10 and 12. I think the danger to morals would be just as great at the one period as at the other, and that it would be rather a weak argument to make a distinction in that respect. But I do lay stress upon this—that the delicate organization and nervous sensibility of children of tender years cannot safely be subjected to the unnatural conditions which a theatrical training imposes on them, the effects of which may not

develop themselves at the time, but which may do great harm in after years. These effects may not be immediately visible, but they will not fail to show themselves in later life. My Lords, these are the reasons why, as far as I am concerned, I should propose to adhere to the conclusion at which the House of Commons has arrived, which has been twice affirmed by the same majority of 49. My Lord, I have now dealt with the main provisions of the Bill, and I need only detain you with a word or two on the Amendments adopted in the other House, with which I also hope that your Lordships will agree, one of which is of great importance. It gives power to the Court to deprive of the guardianship of his children any parent who has been accessory to their ill-treatment under the earlier provisions of the Bill. I think, my Lord, that is likely to prove an extremely useful provision, and it seems to me an eminently just one. A parent who thus treats a child shows himself or herself to be unfit for guardianship, and it is in the public interest that the child should be removed from such a parent. I do not think your Lordships will consider that is an improper interference with the parental right. Your Lordships will see that the Bill carefully reserves intact the power which rests in a parent or guardian to administer punishment to a child. In that respect the law is not interfered with by this Bill. There is one other important provision, and that is for power to take the evidence of children of tender years, although not given on oath, if it is corroborated by other testimony. Their evidence would not be sufficient alone to secure a conviction. This provision had been found to work extremely well in an Act of a different character relating to offences against children, passed three or four years ago. Your Lordships will understand that in many cases, unless the evidence of the children themselves is to be received, although they may not know the nature of an oath, the offender, often a very grievous offender, would escape punishment. My Lords, I earnestly hope the House will give its favourable consideration to this Bill, because I believe it will diminish the area of child-suffering, bring within the reach of justice many a cruel torturer of defenceless children, and

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confer happiness on many a life beyond what would otherwise be attainable. I therefore move the Second Reading of the Bill.

Moved, "That the Bill be now read 2^d."—(*The Lord Herschell*.)

THE EARL OF DUNRAVEN: I entirely agree with every word the noble and learned Lord has said. No one can feel more strongly than myself the baseness of parents, or other persons, who would be guilty of offences of this character, such as we constantly meet with, for the sake of pecuniary advantage to themselves; and nobody can reprobate more strongly than I do those parents, unfortunately too numerous, who prefer living in idleness on their children's earnings to exerting themselves for the maintenance of their children. But the Bill confers large powers on the police and on magistrates, which, before it becomes law, ought to be carefully scrutinized by noble Lords who possess higher authority on legal matters than I can pretend to. A great deal may turn, for instance, on the legal meaning of the word "neglect." I do not know what its exact legal meaning may be, but if it is the same as its ordinary meaning, there can be no doubt that the powers conferred on the Executive by this Bill might be very grossly abused. However, my Lords, what I wish principally to speak about is Sub-section 3 of the second clause, which prohibits children under 10 years of age from being allowed to do various things. I do not propose to enter now at any length upon the question of the application of that sub-section generally to theatres and similar places of entertainment. That, as the noble and learned Lord has said, is a matter for Committee. I am not in a position to go into the matter at all to-night, because I did not anticipate having an opportunity to say anything at all on the subject until the Bill came before Committee. But I object to the prohibition against the employment of children at theatres on two grounds—first, because it is not a question which should be dealt with in a Bill for the prevention of cruelty to children. There is not a particle of evidence that there has ever been any cruelty inflicted on children employed in theatres. It is another question altogether whether children should be al-

lowed to be employed in that way; but if there is to be any legislative interference, it ought to be in the form of an amendment to the Factory Acts, or some legislation of that character. I wish to impress very strongly upon your Lordships that to deal with that matter by a side issue in a Bill for preventing cruelty to children, would be doing gross injustice, and that a prohibition of this kind involves gross calumny on those who employ these children. It should not be introduced into a Bill of this kind; and whatever may be the opinion entertained as to the desirability or not of so employing children, I trust the matter will not be dealt with in this Bill. Next, my Lords, I object to the noble and learned Lord's statement that although in some theatres the children are well cared for it is not so in others. The noble and learned Lord has not produced a shred of fact in support of this allegation; and in the absence of evidence we are entitled to assume that no such theatres exist. I am strongly of opinion that if children are prevented from playing in theatres hardship and injustice will be inflicted, alike upon the children who play and upon their parents and friends. If I had known that I should have the opportunity of dealing with this subject to-night, I should have been prepared to place before the House overwhelming proof that these children were enormously benefited, both morally and physically, by the training which they receive. It is very easy to see why they must be greatly benefited by such employment; because, putting it on the lowest ground of all, it must be admitted that where a child is worth a considerable sum at a theatre the parents will take more pains to keep the child in health and strength. And the parents are, of course, better enabled to do that, so that the children are clearly in every way benefited by being employed at theatres. Now, my Lords, it has been stated that their morals are affected by such employment. I will not discuss the question whether the theatrical profession is more or less moral than others. Probably they are all much about the same. But I am sure that the danger of demoralization is less in the case of a person entering the profession at an early age than in the case of those who begin their theatrical career later in life. If there is immorality, I believe it will

degree, offend the dramatic profession. There is no doubt that the theatre at this date is very different from what it used to be, and I should be very sorry to hear any aspersion cast upon the morality of those connected with it. I think it as well to state here, as some appear to be under the impression that those who started this Bill have in some way aspersed the theatrical profession, that the evidence of Board School teachers shows that the education of children employed in theatres practically ceases concurrently with their being engaged. I will read a letter from a lady whose name I need not mention, who has taken a leading part in this matter. She says—

"I do not charge the managers of theatres with treating the children with what is ordinarily called cruelty; it is simply a misrepresentation to pretend that I do so; but that such early employment is highly injurious to the children I think is beyond all doubt."

The noble Earl opposite, who stated that he was going to move an Amendment when this Bill comes into Committee, found fault with the noble and learned Lord who brought forward the Bill because he did not produce evidence. I would, in reply, point out that the noble Earl himself did not bring forward any evidence upon his side of the question. Board School teachers, I think your Lordships will allow, are perhaps the most competent persons to give an opinion whether these children are being properly educated or not. I am aware that the managers of many theatres have done their best to establish excellent schools for the children, but the question remains, "Can the children profit by them?" It resolves itself into a matter of physical strength. Can children who are kept up till 2, 3, or perhaps 4 in the morning, possibly be capable of doing their lessons afterwards? I am perfectly certain my own children would not be able to do it, and if so I may, I think, argue that these children of poor people, allowed to keep these late hours at night and early hours of the morning, would not be able to work next day as they ought to do in the advance of their education. Evidence has also been taken in the matter by another class of persons who are also very competent to give an opinion, I mean the School Board officers, whose duty it is to bring the children into the

schools, and who are well acquainted with the circumstances of the parents who place their children in the theatres; and they state that, as a matter of fact, in nine cases out of ten one or other of the parents is in the habit of drinking. They assert that these children are not simply sent to the theatres because their parents are poor or unable to earn a livelihood themselves, but because the parents desire to live upon the wages earned by their children, doing nothing themselves. Another fact which cannot be controverted is that some of the children after they leave the theatres have to go long distances. Some of the children live far from the theatres, and returning home by train at 2 or 3 in the morning they often can hardly hold their heads up from exhaustion. Some of them have been known to say that they were dreadfully frightened at having to go through the streets so late at night; and that they could not run home quickly, they were too tired. My Lords, if our own children are tired after being up late at night, and unable to do their work next day, or enjoy themselves, is it not likely that children who are badly fed, and have not the vitality of the upper and middle classes, should suffer to a much greater extent? The two grounds on which I base my support of the clause under discussion are those of education and health, and I think I have shown your Lordships that, at all events as regards health, there can be no question that the children suffer. Then how is it as regards education? We have heard what the evidence is that is given in this matter by the School Board officers. We also know that in 1887 the Chairman of the School Board stated there were 25,000 children who had escaped through the meshes of the educational net, and evaded the schools; and I think we may fairly say that the children who are employed at places of public entertainment in some measure go to make up that number of 25,000. We all know that as education increases so crime diminishes. We know that in 1869 there were 11,000 children committed; in 1886 there were only 5,000 committed. We may, therefore, feel confident that the more we can educate the children in our Board Schools, especially if we get, as I hope we shall get, a system of physi-

The Earl of Metch

cal education thoroughly established, the more the children will improve both morally and physically.

***LORD FITZGERALD:** My Lords, I have only a few remarks to make with regard to the severity of some of the punishments which it would be possible to impose according to the Bill in its present form. I entirely approve of the principle of the Bill, but I think certain safeguards should be introduced in Committee. With regard to the first part of the Bill as to so neglecting a child as to injure its health, the party convicted will be guilty of a misdemeanour, and will be subject to imprisonment not exceeding two years and a fine of £100. Imprisonment for two years is a very serious thing indeed. I have heard from an experienced person that he had never known a man to emerge from that imprisonment (if carried out on the separate system) other-wise than shattered both in body and mind. If the offence is that of conspiracy for the purpose of obtaining some pecuniary benefit, it is a defect in this Bill that the only additional punishment is an additional fine to the extent of £100. Your Lordships will find that a power is given to Courts of Summary Jurisdiction to sentence summarily to three months' imprisonment with hard labour and a fine of £50—this is contrary to the spirit of English law. Again, you will find that any constable may arrest, or take into custody without a warrant, any person who, in his view, has committed an offence under this Act. That might be applied to managers of theatres, where children apparently within the limit were employed. A constable would be authorized to take the manager into custody, and he would be taken before a Magistrate. Section 4, again, is very important, and though I do not object to its principle, I think it would require to be amended and greatly safeguarded. Suppose a person is committed for an alleged offence, under this Act any person is authorized to immediately bring the case before a Court of Summary Jurisdiction, and though there has been no conviction, yet if the Court is satisfied it is qualified to act in the matter, and may order the child to be taken out of the custody of the father and committed to the charge of a stranger. That section may be very good in principle, but

it does require to be very much revised. Another point is that, upon information, a search warrant may be issued and any house broken into at night in order to see whether any offence against the Act is being committed there. I entirely support the broad principle of this Bill, but I think objection might properly be raised upon various points in Committee.

LORD CLIFFORD OF CHUDLEIGH: My Lords, I only wish to say one or two words in support of what has fallen from the noble and learned Lord who has just sat down with regard to Clause 4 as to taking away, in the first place, from a parent the custody of a child. In the second place, that child may be handed over to the guardianship of a perfect stranger, and not only to a relation of the child. There is no provision made for any control whatever over what happens to that child when once it is taken from its parents and handed over to a perfect stranger. There should, I think, also be provision made for giving a greater *locus standi* to the relations of a child in bringing the matter into Court under that portion of the clause which says that the Court may vary or revoke an order. The proper person to have the custody of the child may be absent or away at the time the matter is brought before the Court in the first instance, and it might be very difficult then to get the proper person appointed. I hope, therefore, in going through Committee such safeguards as may be necessary will be added to the measure.

LORD HERSCHELL: My Lords, I have only to thank noble Lords who have suggested Amendments. I quite agree with the criticism of the noble Lord opposite on the clause which refers to the handing over of a child to the guardianship of another person. I will endeavour to make the matter plain in Committee.

THE LORD CHANCELLOR: I only desire to say a few words. I cannot help thinking that some sort of arrangement might be made whereby the generality of the provisions which have been so much debated might be limited in some way by enabling a competent authority to give a license to parents for the employment of their children, and to entrust the persons employing them with their care, in exceptional circumstances. Some arrangement of this kind,

I think, might reconcile opposite views upon the subject. With regard to the clause which makes it a higher offence, punishable with a heavier penalty, if the person committing the offence was supposed to be influenced by any pecuniary interest in a child's death, I am of opinion that the section either goes too far or not far enough. In the one case the offence might be murder, and ought to be treated as such; but, on the other hand, it might be an accidental circumstance unconnected with cruelty, and in that case the clause goes too far. It comes to this—that if you have a suspicion of foul play not sufficient to justify you in treating it as an offence, you shall treat it as though that offence had been committed although you have no proof. It seems to me that you would be administering the law on false principles, and that the clause ought to receive careful attention.

EARL GRANVILLE: My Lords, I think we are all agreed that the Bill ought to be read a second time. I should like to say that I should rather regret the compromise suggested by the noble and learned Lord on the Woolsack. I am not an admirer of too much interference between employers and employed, or between parents and children. On the other hand, I have always been a great admirer of theatres, particularly in later days. I believe that theatrical representations may be made of very great use in elevating the taste and improving the morals of those who visit them. But, my Lords, I think too much is done towards making a *tabula rasa* by the Bill before us. The truth is that every single argument used by the noble Earl against the provisions which prohibit the employment of children in theatres is applicable, though in a much stronger degree, to principles which, rightly or wrongly, Parliament has adopted in the past. The same objections were raised when the employment of children in factories, agriculture, mines, and other industries was prohibited. It was then plausibly argued that the prohibition would injure the employer and the employed. I do not believe that a young person becomes a better actor because he was employed before the age of 10 years. The evidence is all the other way. What I feel is that, having committed ourselves to the principle of restricting juvenile

The Lord Chancellor

labour, and after that principle has been universally adopted by public opinion as a proper restriction, it is too late to say we will make a concession and legalize the employment of those very young children in theatres. With regard to the question of cruelty, I will go so far as to say that if any of your Lordships sent your children out night after night in all weathers into the heated atmosphere of a theatre to take part in a performance which must be exciting to them, after which they would have to find their way home, or even if they were kept up night after night in their own comfortable drawing rooms till 11 or 12 o'clock, that would be very great cruelty to them, and still greater must be the cruelty in the case of these poor children.

Motion agreed to; Bill read 2^d, and referred to the Standing Committee for Bills relating to Law, &c.

RESERVE OF HORSES FOR THE ARMY.

QUESTIONS—OBSERVATIONS.

*LORD SANDHURST: My Lords, I rise to ask Her Majesty's Government whether they can give a clear definition of the term "emergency," under which registered horses may be requisitioned for Government service? Considerable doubt exists as to the circumstances under which these horses could be called out—whether only in time of anticipated invasion, or whenever the Reserves were called out, or on the occasion of any small war in a remote part of the Empire; and it would, I think, give general satisfaction if the Government could say whether the scheme had been generally successful.

*THE UNDER SECRETARY OF STATE FOR WAR (Lord HARRIS): My Lords, I can hardly undertake to give a general definition of the term "emergency," but I hope to be able to give such a definition as will satisfy those gentlemen who, I have no doubt, have interested the noble Lord in this subject. Before doing so, I will give the noble Lord the information he asks for. Your Lordships may remember that in the autumn of 1887 I intimated that the Government proposed to invite owners of horses to register them for military purposes, and I had the temerity to prophesy that as volunteering had proved so successful

for soldiers I saw no reason why it should not be as successful for horses. The event has justified my prophesy. Last year we obtained Treasury sanction for 7,000 horses, and this year we have obtained Treasury sanction for a further 7,000. That first number of 7,000 had been examined and passed by the Deputy Inspectors of Remounts, and had been registered, and of the second 7,000 we have now examined and passed 2,500, so that we have now 9,500 horses completely registered. Of the first 7,000, 6,000 were draught and 1,000 riding horses. It is, I suppose, with special reference to the riding horses that the noble Lord puts the question to me. The large majority of the owners of these horses came forward again this year to register. It is obvious that the amount of the fee can be no object to them, and that they come forward purely from patriotic motives to assist Her Majesty's Government. In addition to the horses already mentioned, 500 hunters, belonging to masters of hounds, have been registered. Although out of those previously mentioned nearly the necessary proportion of riding horses could be obtained, the Government are exceedingly anxious to obtain the further co-operation of masters of hounds, so that they may, if possible, be able to rely on horses of the class of hunt-servants' horses. Out of 300 masters of hounds who have been applied to 100 answers have been obtained, of which over 60 are favourable. Obviously as I have said the fees are too small to be of any importance to those gentlemen, who have registered from purely patriotic motives. Many who have not registered have very reasonably pointed out that the term "emergency" is very indefinite, and have asked the Government to state how they propose to construe it. With a view to meet that most reasonable request I have consulted with the Quarter-master General, and we propose to construe the term in the following way:—"Emergency" will be interpreted as an occasion when—

"The Reserves are called out for permanent service by proclamation of Her Majesty in Council, the occasion being first communicated to Parliament, if Parliament be then sitting, or declared in Council and notified by proclamation if Parliament be not then sitting."

This the Government hope will meet

the objections which have been raised. That there may be no misunderstanding in the future owing to changes of Government or high officials, I propose to put a footnote on the form of agreement for registering horses, setting out the definition of the term "emergency" which I have just read. Your Lordships will, however, clearly understand that it is confined and applicable only to the registration of horses and obtains its binding effect from the voluntary acceptance of the definition by the parties to the agreement. It does not profess to nor could it define the term "emergency" as employed in the Militia, Reserve, Yeomanry, and Volunteer Acts. The definition of the term there must remain with Her Majesty in Council, but as far as the registration of horses is concerned we are prepared to put that on the forms of agreement. The Government hope that will meet the views of owners of horses and masters of hounds, and that we shall obtain an increased number of horses from them.

THE EARL OF KIMBERLEY: Probably the noble Lord remembers that the last time the Reserves were called out was in 1883, when there was a fear of war, and it was for the purpose of service in India. I do not know whether the noble Lord's definition applies to India. At that time 25,000 of the Reserves were called out.

***LORD HARRIS:** We are at present in the position that we were successful in obtaining horses last year, without any condition of emergency. We have also, as I have explained, obtained this year a second 7,000 horses, and we hope that this definition will satisfy the owners.

TRANSPORT FOR AUXILIARY FORCES.

***LORD TRURO:** My Lords, I had given notice to call attention to recent War Office Circulars relating to transport for the Auxiliary Forces, and to ask a question. I came prepared to-night to put that question, but I believe I am right in saying that there will be no objection to their being given, and I will therefore simply move if I am not out of order that those Circulars be laid upon the Table.

***LORD HARRIS:** I am afraid I must ask the noble Lord to point out what the circumstances are to which he alludes. I suggest that the noble Lord

MASTER AND SERVANT BILL (No. 111.)

House in Committee (on Re-commitment) (according to order): Bill reported without amendment; and to be read 3^a To-morrow.

House adjourned at Seven o'clock
till to-morrow, a quarter past
Ten o'clock.

HOUSE OF COMMONS,

Monday, 22nd July, 1889.

EAST INDIA (ASSAM COOLIES).

Address for—

"Copies of Government of India Despatch, dated the 22nd day of June 1889, with its inclosures, including Reports by Mr. Tucker; and of Memorial of the Indian Association of Calcutta, dated the 12th day of April 1888 (in continuation of House of Lords' Return, No. 14, 5th March 1889)." —(*Mr. Bradlaugh*).

PRIVATE BILLS (ALTERATION OF
MEMORANDUM OF ASSOCIATION.)

Lords Message [16th July] considered.

Ordered, That a Select Committee of Five Members be appointed to join with the Committee appointed by the House of Lords, as mentioned in their Lordships' Message of the 16th day of this instant July, to consider and report under what circumstances, or upon what conditions, if any, Private Bills altering the terms of the Memorandum of Association of Companies, ought to be allowed to pass.

Ordered, That Mr. Courtney, Mr. Bristowe, Mr. Haldane, Mr. Raikes, and Sir Horace Davey be Members of the Committee.

Ordered, That Three be the quorum.

Ordered, That a Message be sent to the Lords to acquaint their Lordships that this House, having considered their Lordships' Message, has appointed a Select Committee of Five Members to join with the Committee appointed by the House of Lords, as mentioned in their Lordships' Message of Tuesday the 16th day of this instant July to consider and report under what circumstances, or upon what conditions, if any, Private Bills altering the terms of the Memorandum of Association of Companies, ought to be allowed to pass.—(*Sir Horace Davey*).

QUESTIONS.

COMMUTATION OF PENSIONS.

MR. BRADLAUGH (Northampton): I beg to ask the Secretary of State for

War whether he can now inform the House of his decision as to the future rates of the commutation of pensions to non-commissioned officers and privates?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): I am sorry that I cannot give the hon. Gentleman the information for which he asks. There has been some delay in the matter owing to our having to wait for a Treasury decision, which is, I believe, kept back for a Report from the Pensions Commutation Board. I regret the delay, and I will do my best to give an early answer to the question.

THE INTERNATIONAL MARITIME
CONFERENCE.

MR. CHANNING (Northamptonshire, E.): I beg to ask the Under Secretary of State for Foreign Affairs whether the programme agreed upon by the American delegates to the International Maritime Conference, and submitted by them on 3rd April to Mr. Blaine, was communicated by the United States Government to Her Majesty's Government in the same form or with any modifications; and, if the latter, what were the modifications; whether the programme, as drawn up by the American delegates, included the following subjects: signals by lights or by sound to indicate the courses of vessels at night and during fog and thick weather, and steering and sailing rules; regulations to determine the seaworthiness of vessels; uniform maximum load-line; regulations as to the designation and marking of vessels; saving of life and property from shipwreck at sea and by operations from shore; tests for sight and colour blindness; lanes for steamers on frequented routes, to prevent collision and to protect fishermen; night signals for communicating information at sea; warnings of approaching storms; reporting and removing dangerous wrecks; uniform method of exchanging information as to dangers to navigation, changes in lights, buoys, &c.; uniform system of colouring and numbering buoys; the establishment of a permanent International Maritime Commission; and, whether the final programme, as agreed upon by Her Majesty's Government and the United States Government, the whole of

these subjects or only some of them; and, in the latter case, which subjects constitute the final programme?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir JAMES FERGUSSON, Manchester, N.E.): The programme was communicated to Her Majesty's Government in the form submitted on April 3 and without modifications. The thirteen general divisions under which the programme is arranged comprise the subjects mentioned in the question. No final programme has as yet been agreed upon between the two Governments.

MR. CHANNING: Is an agreement likely to be arrived at at a reasonable time, so as to enable the Conference to be held this year?

*SIR J. FERGUSSON: Her Majesty's Government have stated their views to the Government of the United States, but they have not received a reply. Therefore, it is impossible for me to answer the hon. Gentleman's question, but there is no reason to believe that the Conference will not be held this year.

PEOPLE'S BANKS.

MR. JAMES MACLEAN (Oldham): I beg to ask the Chancellor of the Exchequer if his attention has been called to the fact that it has been contemplated by Mr. A. Egmont Hake, Chairman of the Free Trade in Capital League, to introduce into Great Britain and Ireland a system of people's banks, based on that Shulze Delitzsch principle which has proved so beneficial to the working classes in Germany and Italy; the intention being to make use of a new medium of exchange to be called Cash Credit Certificates; and that the Bank of England, which has been approached on the subject, has intimated its intention to raise no objection to the new medium of exchange; and, whether Her Majesty's Government, having regard to the great advantages these new people's banks are expected to confer on the working classes of this country, will raise any objection to the use of the proposed Cash Credit Certificates if their tenor be simply "The People's Bank of _____ grant you a Cash Credit of £ _____," and if their circulation be strictly limited to the locality of the bank from which they are issued?

THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): My attention had not been called to this subject until the hon. Member's question was put down, and it is much too vast to be dealt with offhand. The hon. Member's question is not quite correct in its reference to the Bank of England. The Bank has not "intimated its intention to raise no objection" to the issue of Cash Credit Certificates, but has simply said that, "while declining to commit itself" on the question, "it would not willingly place considerations of its own interest in the way of any proposal which was clearly shown to be for the public advantage." But, plainly, this is not merely a question between the promoters of the present scheme and the Bank. It vitally affects our whole system of paper currency, and cannot be decided without the most careful examination of its bearing on the security of that system.

CYPRUS.

COLONEL BRIDGEMAN (Bolton): I beg to ask the Chancellor of the Exchequer what is the amount of the sum derived from the revenues of Cyprus which is applied to the payment of interest on the Turkish Loan of 1855, guaranteed by England and France, and for which Turkey is in default; and, if he can inform the House how the surplus of the so-called Turkish Tribute has been applied, year by year, up to the present time?

MR. GOSCHEN: Out of the Turkish Tribute annually payable by Cyprus, about £82,000 is stopped on its way to the Porte in order to make good the interest on the Turkish Guaranteed Loan of 1855, which is charged on the whole revenues of the Ottoman Empire. The difference between that sum and the total amount payable by Cyprus has been partly applied in payment of the Synge and Sutar ransoms, and the balance due to Turkey, amounting up to date to about £55,000, has been retained by Her Majesty's Government for the purpose of building up a sinking fund in respect of which the Turkish Government are in default. The Turkish Government are in default as to the sinking fund of the loan of 1855 as well as to the interest.

MR. LEIGHTON (Shropshire, Oswestry): Can the right hon. Gentleman say when the Tribute was first applied to the payment of interest on the loan.

MR. GOSCHEN: I think it was in the year 1882.

NAVAL DEFENCES.

SIR EDWARD REED (Cardiff): I beg to ask the First Lord of the Admiralty whether, before the present Session closes, he will inform the House, by means of a printed Return, or otherwise, what progress has been made with the work authorized by the Naval Defence Act, and, more particularly, to what extent orders for new ships and machinery have been given; where they have been placed; and what have been the financial liabilities incurred?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): Under a clause in the Naval Defence Act a Return has to be given within a fixed period of the completion of each contract made under the Act for hulls or machinery or guns. It is, however, not advisable to publish any such Return until all the vessels of a particular type for which tenders have been invited have been allocated to the different parties tendering. It may, however, interest the House to know what progress has already been made in the contemplated programme for the year 1889-90 under the Naval Defence Act. Fifty-two ships had to be commenced—20 in the dockyards, 32 in private yards. Arrangements for the 20 in the dockyards have been so far advanced that 18 have already been commenced. Of the 32 for private yards 16 second-class cruisers out of 17 have been actually placed, and the tenders for five first-class cruisers have been invited. We hope by the month of September to have placed the whole of the remainder.

THE MUZZLING ORDER.

MR. LAWSON (St. Pancras, W.): I beg to ask the Secretary of State for the Home Department whether there is any Local Authority in the Metropolis to act under the Muzzling Order issued by the Privy Council; and, if not, whether the Commissioner of Police will carry it out on his own responsibility?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr.

MATTHEWS, Birmingham, E.): Under Section 41 of the Animals Diseases Act, 1878, and Section 40 of the Local Government Act, 1888, the London County Council are the Local Authority in the Metropolis by whom and at whose expense the Muzzling Order issued by the Privy Council has to be executed and enforced.

MR. LAWSON: The right hon. Gentleman has not answered the second part of the question.

MR. MATTHEWS: The second part of the question is asked only in the event of there being no Local Authority.

MR. NORRIS (Tower Hamlets, Limehouse): May I ask the First Lord of the Treasury if he is able to state the area comprised under the Privy Council Order as to the muzzling of dogs, and if within that area the police have authority to capture or destroy stray dogs; and, whether it is contemplated to issue a General Order for the whole country?

MR. LAWSON: Under whose authority are the police acting?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The Order of the Privy Council applies to the City of London and to the district of the Metropolitan Police. The police have power under the Order to seize and detain stray dogs; but the power to destroy (which is under the Metropolitan Streets Act, 1867, and not under the Order in Council) extends only to the County of London. It is not contemplated at present to issue a General Order for the whole country.

IRELAND—FAIR RENTS IN THE MOHILL UNION.

MR. HAYDEN (Leitrim, S.): I beg to ask the Solicitor General for Ireland whether he is aware that, although two tenants of Aughamore, County Leitrim, on the estate of Colonel Forbes, served notice to have a fair rent fixed, in October 1887, only one of these cases has been listed for hearing at the forthcoming Commission Court at Mohill; and, what is the reason for further postponing the hearing of the other tenant's case, in which the rent is believed to be very excessive?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): The Land Commission report that there are 141 cases listed for

hearing from the Union of Mohill. These include all originating notices received at their office between September 29 and October 26, 1887. The two originating notices in the case of the tenant Robert Notley, to which the Commissioners presume the hon Member refers, were not received until after the latter date, and could not, therefore, be listed.

THE BELFAST NATIONAL SCHOOLS.

MR. PINKERTON (Galway): I beg to ask the Solicitor General for Ireland if he would state how many new teachers have been appointed in the National Schools of Belfast within the past five years; how many of these have been pupil teachers in the Belfast Model School; what was the cost to the State per child in average attendance in the Belfast Model School for the year ending 31st March, 1889, exclusive of result fees; what was the corresponding average amount in the other National Schools of Belfast; and, in which Parliamentary Division of Belfast is the Model School?

MR. MADDEN: The National Education Commissioners report that the particulars required by the hon. Member could not be given until the schools, most of which are at present closed for vacation, re-open; and until the Inspectors have completed the pressing business on which they are now engaged in regard to the annual examination of teachers and monitors. The Commissioners further point out that it would take some considerable time to collect the information, and that, under any circumstances, its proposed form in respect to the exclusion of results' fees from the calculation should be amended. The Model School is situated in the Parliamentary Division of West Belfast.

DERRY GAOL.

MR. MAC NEILL (Donegal, S.): I beg to ask the Solicitor General for Ireland whether his attention has been directed to the case of a man named Corr, who, while exercising in the exercise yard in Derry Gaol on 9th July, was struck down and subsequently died from the effects of sunstroke; whether this yard and the exercising yards in other prisons are wholly exposed and without protection either from heat or rain; whether the want of a sheltered exer-

cise yard disorganises all the arrangements as to the hours of exercise by compelling prisoners in inclement weather to exercise not continuously or at stated periods but in the intervals between showers; and, whether he will direct the Prisons Board to take steps for erecting sheds in prison exercise yards by which the prisoners may be protected from the effects of heat and rain, and the arrangements of the prison carried out with greater efficiency and regularity?

MR. MADDEN: The General Prisons Board report that the facts are substantially as stated in the first two paragraphs. No material disorganization, such as that suggested in the third paragraph of this question, arising from the want of a sheltered exercise yard, has ever been brought to the notice of the Board, and they believe that the Governors of Prisons experience no practical difficulty in making such arrangements in this respect as circumstances from time to time call for. The Board are of opinion that serious objections exist against the erection of sheds adjoining the prison walls.

THE GOVERNOR OF IPSWICH GAOL.

MR. PICKERSGILL (Bethnal Green, S.W.): I beg to ask the Secretary to the Treasury what amount (if any) it is intended to pay out of public money in respect of the costs of defending an action brought against the Governor of Ipswich Gaol for indignities inflicted upon an untried prisoner, in which action, at Suffolk Assizes on the 12th instant, the jury awarded the plaintiff £75 damages?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): No application has yet been received by the Treasury for the payment of any money in respect of the costs referred to in the hon. Member's question.

THE BURIAL BY MISTAKE.

MR. PICKERSGILL: I beg to ask the Secretary of State for the Home Department whether he has inquired into the circumstances under which, on the 11th instant, a coffin bearing on its face the name of Emma Toop was buried by the authorities of the Ilford Cemetery under an order for the interment of the body of Emily Preston;

and, in particular, whether it is correct, as alleged, that the name on the coffin was altered at the cemetery to correspond with the name in the interment order; and, if so, by whom was such alteration made; and what action does he propose to take in the matter?

MR. MATTHEWS: The circumstances under which this unfortunate mistake occurred have been already explained by my right hon. Friend the President of the Local Government Board. I have made inquiry into the allegation that the name on the coffin was altered at the cemetery, and I am informed that this is not correct. I have issued a license for the removal of the body.

THE NAVAL MANŒUVRES.

MR. GOURLEY (Sunderland): I beg to ask the First Lord of the Admiralty if it is correct, as reported in the public journals, that great difficulty is experienced in manning the ships detailed for the Naval Manœuvres, and that, in consequence of the scarcity of Officers, Commanders will have to serve as Lieutenants, and Warrant Officers take command of torpedo boats; and, whether any, and what number of, men belonging to the First and Second Class Naval Reserves, apart from the Coast-guard Reserves, are to be employed in the Manœuvres?

LORD G. HAMILTON: It is not the case that great difficulty has been experienced in manning the ships detailed for the Naval Manœuvres. The complement of every ship is complete without the Reserves being called upon. A certain number of pensioners, principally stokers and domestics, about 150 in all, have been entered to take the place of men belonging to harbour ships. In the larger cruisers Commanders have been appointed instead of Lieutenants as senior executive officers, and some of the torpedo boats have been advisedly placed in the charge of Warrant Officers. Such arrangements have always been contemplated in the event of war. 21 officers of the Royal Naval Reserve will be employed during the Manœuvres; but none of the men will be called up. This can only be done by Royal Proclamation, which the present circumstances do not render it necessary or

desirable to issue, as it entails much inconvenience upon the shipping interests of the country.

TELEGRAPHIC COMMUNICATION AT CARDIFF.

SIR EDWARD REED: I beg to ask the Postmaster General whether he has received any information from the telegraph authorities at Cardiff with reference to a serious block of traffic and consequent delay in telegraphic communications, which occurred in that town a few weeks ago; whether he is aware that an application for a considerable number of extra appointments, to cope with the severe strain upon the telegraphic system of Cardiff, was entirely ignored by the surveyor of the district, resulting in considerable inconvenience to the staff, and compelling the superintendents, supervisors, and test clerks to undertake instrument duties, to the neglect of their own duties and the proper supervision of the office; and, whether payment for the extra time performed by members of the staff during pressure has been allowed?

***THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge):** I received information that on a recent occasion, when the newspapers in Cardiff received telegraphic reports of an exceptional number of speeches and events of public interest in various parts of the country, there was delay because the wires and instruments were not sufficient to cope with the extraordinary amount of work which was thrown upon them at a particular period of the day; and I am having inquiry made with a view to devise means of obviating such delay on any future similar occasion. It is not the case that an application for additional force was ignored by the surveyor. On the contrary, additional force was on his recommendation authorized several weeks ago. I am assured that it is not the case that the supervising officers have had to neglect their proper duties in order to work the instruments. They sometimes give a few minutes a day to instrument work, but this must be the case in many Telegraph Offices. The Regulations provide that telegraphists shall be paid for extra duty, and I have no reason to suppose that they have been neglected at Cardiff.

Mr. Pickersgill

SCHOOL FEES.

MR. THOMAS ELLIS (Merionethshire): I beg to ask the Vice President of the Committee of Council on Education whether he is aware that the resolution of the Managers of the Church of England school at Cynwyd, raising the school fees for children of parents who refused to pay voluntary rates, was passed on 4th April, 1887, and put into operation by the exclusion of 60 children on 30th May, 1887; whether the first intimation received by the parents that the resolution had been rescinded was in a letter from the Education Department dated 7th February, 1888; whether, deducting from the 193 children of school age in the parish 24 children who now attend a suitable school outside the parish, and the usual percentage of $12\frac{1}{2}$ per cent, there still remain 148 children in the parish to be provided for; whether the accommodation in the Church of England school is 135; and, whether the Education Department has always acted on the principle that a Church of England school is a suitable school for a parish?

*THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): The resolution put into operation on the 30th May, 1887, was rescinded on the 30th June following; no information as to either was received by the Education Department till months afterwards, but there is no reason to believe that the later resolution was not as well known in the district as the earlier one. The parents received no intimation on the subject from the Department. The School Board have admitted in writing that there is no deficiency of accommodation, and the hon. Member's figures do not allow for all the space available outside the parish. According to the Statute every public elementary school is *ipso facto* suitable, and this principle has always been acted upon by the Department.

BALLOON AND PARACHUTE EXHIBITIONS.

MR. LAWSON: I beg to ask the Secretary of State for the Home Department whether he is aware that at the inquest held at Manchester on 18th July, on the body of the man Lennox, the Coroner expressed his opinion that there ought to be some legislative re-

striction on balloon and parachute ascents made, not in the interests of science, but in order to make money; whether the jury recommended an application to him "in order that such displays of ballooning by persons of insufficient knowledge should be prevented;" and, whether any memorial has been forwarded to him?

MR. MATTHEWS: According to the newspaper report of the inquest which has been sent to me by the Coroner, the Coroner did not express an opinion on the subject, but left it to the jury to say whether there should be some legislative restriction. I have received a recommendation of the jury that "something should be done to prevent such displays of ballooning on the part of persons without sufficient knowledge." In this case the Coroner was of opinion that the parachutist was justified in believing that the deceased had sufficient knowledge to act as assistant.

THE SCOTCH LOCAL GOVERNMENT BILL.

DR. CAMERON (Glasgow, College): I beg to ask the Lord Advocate when the Minute of the Scotch Education Department, referred to in Clause 19, Sub-section (4), of the Local Government (Scotland) Bill, will be submitted to Parliament, or its provisions explained to this House?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The Minute referred to will, in accordance with the provisions of the Bill, be submitted to Parliament as soon as may be after the Bill becomes law. The intention of the Government with regard to its provisions has been explained by my right hon. Friend the Chief Secretary; but we shall be glad to give the hon. Member further information in regard to any points on which he desires it.

THE MILITIA.

MR. COBB: I beg to ask the Secretary of State for War whether Warrant and Non-Commissioned Officers, serving on Line engagements with the permanent staff of the Militia, lose their seniority by so doing?

*MR. E. STANHOPE: No, Sir.

FOYNES HARBOUR.

MR. O'KEEFFE (Limerick): I beg to ask the Chief Secretary to the Lord

Department of Ireland in having regard to the statement submitted in the First Session of the Government of the Public Works Ireland Bill, 1888, page 25—

"That a Public Harbour there is a great accumulation of mud, but that the original depth cannot be maintained without constant dredging."

as well as that the necessary work is done to restore the harbour to a proper state of efficiency?

Mr. JACKSON: I am not aware that the dredging of Pigeon Harbour is a matter of urgency, but the Treasury is presently sitting on hand over the question of a responsible Local Harbour Board. I hope one will be formed who will take it into its hands to deal with the question. Some communications have passed with that object.

WESTERN AUSTRALIA CONSTITUTION BILL

Mr. HENRY H. FOWLER (Woolloomooloo, N.S.W.): I beg to ask the First Lord of the Treasury whether it is the intention of the Government to present in this Session with the Western Australia Constitution Bill?

*Mr. W. H. SMITH: The Bill is one of great importance to the Colony, inasmuch as it involves a change from Representative to Responsible Government. Her Majesty's Government were very anxious that the Bill should have become law this Session, and they regret that it was not possible to bring the Bill forward at an earlier date. If the state of business later on permits, the Government would be very glad if the House would allow at least the second reading of the Bill, so as to affirm the principle of the Constitutional change, although at this period of the Session it would not be possible to take any further stage of the Bill.

THE CHANNEL TUNNEL BILL

Mr. MACLURE (Lancashire, S.E., Strretford): I beg to ask the First Lord of the Treasury whether he can consent to give an evening for the consideration of the Second Reading of the Channel Tunnel Bill?

*Mr. W. H. SMITH: I am sorry to tell my hon. Friend that the time of the House is so much taken up by Government measures that I am afraid it will not

be in my power to give facilities for the Second Reading of the Channel Tunnel Bill.

THE TECHNICAL EDUCATION BILL

Mr. ARTHUR ATLAND (York, W.R. Beverham): I beg to ask the First Lord of the Treasury whether a memorial has been received by the Government from the School Boards of Manchester and Salford, the Manchester School of Art, the Manchester Technical School, the Shipport Technical School, the Harris Institute at Preston, the Whitworth Committee, and the Union of Lancashire and Cheshire Institutes, specially urging the Government to pass the Technical Education Bill, pointing out that the opportunities for technical education promised in successive Bills to the children of the working classes are passing away each year for demands of boys, while increased facilities seem to be afforded for such instruction in other countries; and, whether the Government propose to comply with the request contained in the Memorial?

*Mr. W. H. SMITH: The facts stated by the hon. Member are correct, and the Government are quite aware of the great interest taken by the country in technical education and the pressing importance of dealing with it. The Government have been engaged in the past few days in endeavouring to find some solution of the difficulty which surrounds the question in regard to elementary schools, but, I regret to say, without success. We therefore propose to at once introduce a measure dealing with the higher branch of the subject.

Mr. A. ACLAND: I beg to give notice that in consequence of the complete breakdown of the efforts of the Government to deal with this question in connection with the elementary schools, which the Government declared to be urgent three years ago, I will at the earliest opportunity next Session move that, in the opinion of this House, it is only by the universal establishment of School Boards in England and Wales that we can hope to obtain in a thoroughly satisfactory form a system of technical education for the working classes of this country.

Mr. MUNDELLA (Sheffield, Brightside): Will the measure which we have been told is to be introduced by the

Mr. O'Keefe

Government be deferred until next Session?

*MR. W. H. SMITH: I hope to introduce a short Bill this Session.

MR. MUNDELLA: Then are we to understand that the Measure which the Government are to introduce will deal only with the higher branch of the question of technical education, and not at all with the lower branches?

*MR. W. H. SMITH: If the right hon. Gentleman will wait until he sees the Bill, it will probably be more satisfactory than he appears to anticipate.

MAGAZINE RIFLES.

SIR SAMUEL WILSON (Portsmouth): I beg to ask the Secretary of State for War how many of the new magazine rifles have been finished, and where they are being manufactured; has it been decided to convert any of those now in use to the magazine principle; what number per month of the magazine rifle are being turned out, and will he expedite their construction by calling for tenders; will a supply be forwarded to our troops on the Nile as soon as they are ready; and is the manufacture of the new ammunition in progress?

*MR. E. STANHOPE: About 500 of the magazine rifles have been issued from the Ordnance factories for experimental purposes. A very large number of parts, not yet put together into complete rifles, have also been made. They are being manufactured by the Government at Eufield and at Birmingham, and by two private firms in London and Birmingham. It is not proposed to convert rifles now in use to the magazine principle; but if from wear they require new barrels they will be supplied with barrels carrying the small-bore ammunition. The troops now on the Nile will receive their rifles in their turn. The manufacture of the new ammunition is proceeding.

IRELAND — EVICTIONS ON 'THE OLPHERT ESTATE.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the Solicitor General for Ireland if he can state how many evictions have taken place on the Olphert estate since the adoption of the Plan of Campaign by the tenants; how many of the evictions were on holdings occupied by sub or under tenants; on how many

of the holdings had judicial rent been fixed; and, how many of those evicted had served originating notices to have a fair rent fixed?

MR. MADDEN: It appears that 57 evictions have taken place on the Olphert estate since the adoption of the Plan of Campaign by the tenants. Nine of these evictions were from holdings in occupation of sub-tenants. Judicial rents had been fixed on 42 of these holdings. Five of those evicted, and whose rents had not been fixed judicially, had served originating notices, and in another case an application to fix a judicial rent which had been made was dismissed by the Sub-Commissioners.

COLDBATH FIELDS PRISON.

EARL COMPTON (York, W.R., Barnsley): I beg to ask the Secretary of State for the Home Department what was at the time of the passing of "The Prisons Act, 1877," the number of prisoners in Coldbath Fields Prison for whom the Justices of Middlesex were responsible, and for whom cell accommodation was provided; and, whether any and what sum became payable or was secured to the Secretary of State by the Justices of Middlesex, under the provisions of Section 34 of that Act, as a debt to the Crown, in consequence of the Justices declining to accept the offer of the Secretary of State of the re-conveyance of Coldbath Fields and Clerkenwell Prisons?

MR. MATTHEWS: The number of prisoners belonging to the Middlesex Justices for whom cell accommodation was provided at Coldbath Fields was 1,558. The statutory price for the re-conveyance of this prison to the Justices was therefore £186,960. As the Justices declined to accept the re-conveyance of the prison, no sum became payable by them or was secured by the Secretary of State.

THE ENGLISH UNIVERSITY COLLEGES.

MR. MUNDELLA (Sheffield, Brightside): I beg to ask when the scheme for the allocation of annual grants to the University Colleges of England will be in the hands of Members?

MR. JACKSON: The Papers bearing on the allocation of the grant to University Colleges were presented on

Friday, and I hope they will be in the hands of Members immediately.

ARMY ACCOUTREMENTS.

COLONEL BLUNDELL (Lancashire, S.W., Ince): I beg to ask the Financial Secretary to the War Office whether he is correctly reported as having stated on Friday last, in reply to the hon. Member for Preston (Mr. Hanbury), that a set of accoutrements has been supplied to the War Office by Messrs. Ross and Co. on Colonel Slade's contract after Colonel Slade had promised not to employ that firm, because I have had a letter from Colonel Slade denying that he had given any such promise?

MR. BRODRICK: The Report is correct. Colonel Slade, who was abroad at the time, having previously notified at the War Office that any communications respecting this contract should be addressed to Colonel Wallace, the latter was informed, on receipt of the sample set of accoutrements marked with Messrs. Ross's name, that Messrs. Ross could not be allowed to make the accoutrements, and was requested to carry out the Secretary of State's wishes on behalf of Colonel Slade. Colonel Wallace replied that a mistake had happened, a recurrence of which he would take steps to prevent. Although the steps taken proved ineffectual, it is clear that they were recognized as coming from Colonel Slade, as will be seen by reference to Mr. Tomlin's evidence before the Lords' Committee in March of the present year.

THE SOUDAN.

SIR W. BARTTELOT (Sussex, N.W.): I wish to ask the Secretary of State for War whether he has received any news from Egypt beyond that stated in the newspapers; what number of English troops have been sent to the front; and whether any more reinforcements will be sent to Egypt?

***MR. E. STANHOPE**: I am sorry that my hon. Friend did not give me even two minutes' notice of this question. I do not think I have received any information during the past two days that would be of any particular interest to the House. Matters continue at the front very much as they were. There is no present intention to send out any more troops either from Malta or this country.

Mr. Jackson

PUBLIC BUSINESS.

MR. CHILDERS (Edinburgh, S.): Will the First Lord of the Treasury tell the House when Supply will be taken?

***MR. W. H. SMITH**: I hope that it will be possible to proceed with the Civil Service Estimates on Thursday and Friday; but, as the right hon. Gentleman knows, I am obliged to exercise some reserve with regard to particular dates. It would not be fair to proceed with the Irish Estimates without notice; but I hope that they will be reached on Monday next.

DR. FARQUHARSON (Aberdeenshire, W.): Is it intended to proceed to-day with the Lunacy Acts Amendment Bill?

MR. SEXTON (Belfast): What course do the Government propose to take in regard to the Light Railways (Ireland) Bill?

***MR. W. H. SMITH**: I believe that it is the intention of my right hon. Friend to refer the Light Railways (Ireland) Bill, to the Grand Committee on Trade. As to the Lunacy Acts Amendment Bill if there is no opposition to it after 12 o'clock I shall be glad to take it to-night. As it has already been carefully considered I presume that there will be little opposition to it.

DR. FARQUHARSON: There are a considerable number of Amendments down upon the Paper.

MR. BRADLAUGH: And two of the Amendments, although not in the nature of opposition to the Bill, will involve some discussion.

***MR. W. H. SMITH**: Then, under those circumstances, the Bill will not be taken to-night.

SIR G. TREVELYAN (Glasgow, Bridgeton): When is it intended to proceed with the Sunday Closing Bill for Ireland?

***MR. W. H. SMITH**: I am unable to say at the present moment; but I will give the earliest possible intimation of the day.

In reply to **MR. H. GARDNER** (Essex, Saffron Walden),

***MR. W. H. SMITH** said: The Tithes Bill will be proceeded with to-morrow; but I am unable to fix it as the first Order.

COMMISSARY WORK IN LANARKSHIRE.

MR. CUNINGHAME GRAHAM (Lanarkshire, N.W.): I beg to ask the Lord Advocate whether his attention has been called to the fact that, on the death of Mr. Donald, the late Commissary Clerk of Lanarkshire, in 1887, the commissary work devolved on the district deputes, but no increase of salary was given to the district deputes until 1st April, 1889, and that increase of salary was then given by the Sheriff Clerk not out of the £850 added to his emoluments for commissary work, but out of money rendered available for distribution, as at March, 1889, in consequence of the removal of Mr. Wilson, one of the deputes at Glasgow, to the office of Procurator Fiscal at Hamilton; whether the additional clerk sent to Hamilton at a salary of £60 was sent in direct response to the request of a deputation of the Hamilton Court Procurators, who complained of the undermanned condition of the Hamilton Office; and, if he can explain the reasons for which Mr. Wood, chief of the Process Room in Glasgow, was promoted to the deputation rendered vacant by the removal of Mr. Wilson, and the Sheriff Clerk promoted his own son to Mr. Wood's place as chief of the Process Room over the heads of other clerks of longer service?

***MR. J. P. B. ROBERTSON:** As I previously informed the hon. Member, the great bulk of the commissary work is done in Glasgow. The £850 addition to the allowance the Sheriff Clerk got for deputes and clerks was made in respect of the increase in the Sheriff Clerk's ordinary work, and also in respect of the new commissary work. From a statement made by the previous commissary officials, it was believed that the commissary business in the districts would be small, but after it was tested additions were made to the salaries of the deputes. The additional clerk was sent to Hamilton at the request of a deputation of Hamilton Procurators. Neither the district depute nor any of the officials had made any complaint. Mr. Wood was appointed as the best qualified and having the best claim. He has been connected with the office for 19 years. The Sheriff Clerk's son was removed to the Process Room

without any addition being made to his salary, which is £60 less than that of his predecessor, the money thus saved being distributed amongst the staff. This post at the reduced salary would have been the reverse of promotion to the clerks of longer service.

HERRING FISHERY (SCOTLAND) BILL. (No. 234.)

Lords Amendment to be considered forthwith; considered, and agreed to.

NEW MEMBERS SWORN.

John Lloyd Morgan, esquire, for County Carmarthen (Western Division).

Elmund Boulnois, esquire, for Borough of Marylebone (Eastern Division).

GRANTS TO MEMBERS OF THE ROYAL FAMILY.

Power given to the Select Committee to report observations.

Report, with Minutes of Proceedings and an Appendix, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 271.]

Minutes of Proceedings, with an Appendix, to be printed. [No. 271.]

MOTION.

PRINCE ALBERT VICTOR OF WALES AND PRINCESS LOUISE VICTORIA OF WALES.

Motion made, and Question proposed, "That this House will, upon Wednesday next, resolve itself into a Committee to take into consideration Her Majesty's Most Gracious Messages of 2nd July."—*(Mr. William Henry Smith.)*

MR. LABOUCHERE (Northampton): Of course I have no wish to go into the merits of the question at present, but I propose, when the right hon. Gentleman does move that you, Sir, leave the Chair, to oppose that Motion. At the same time I do think that Wednesday is a little too early. We have only reported to-day, and, perhaps, with great pushing it may be possible to get the Report and Appendices in the hands of Members on Wednesday morning, but not before, I apprehend. [Mr. W. H. Smith dissented.] Well, if in the hands of

Members, they will not be in the newspapers and before the country before Wednesday. [*Cries of "Oh!"*] What am I to understand by the attitude of hon. Members opposite? Do they wish to push this matter on before the country has had an opportunity of understanding it? I was in hopes that the right hon. Gentleman was going to make this Resolution on a later day than Wednesday. But, as he does not appear to intend doing so, I beg to move that Monday next be substituted for Wednesday.

Amendment proposed, to leave out the word "Wednesday," and insert the words "Monday next,"—(*Mr. Labouchere*,)—instead thereof.

Question proposed, "That the word 'Wednesday' stand part of the Question."

*MR. W. H. SMITH: In naming Wednesday I thought I had endeavoured to meet the views of the hon. Gentleman and his friends. It must be understood that this is but the initial stage of a measure which will have to pass through, first of all, a Committee of this House, a Report of this House, Second Reading, Committee stage, and Third Reading in this House. Therefore, opportunities will be afforded to hon. Gentlemen on several days for the consideration of this proposal. I therefore hope that hon. Gentlemen will see that the general convenience of the House is advanced by considering the matter as soon as reasonably can be arranged. The Papers will be circulated to-morrow, and every exertion will be made to furnish them to Members at the earliest possible moment. I hope hon. Gentlemen will be as well able to discuss the principles involved in the report on Wednesday as on a later day. I certainly could not accept postponement of the discussion until Monday.

MR. GLADSTONE (Edinburgh, Mid Lothian): I am very glad to hear from the right hon. Gentleman that he has a confident expectation that the Papers, including the Report of the Committee, and the Papers handed in as Appendices, will be in the hands of hon. Members to-morrow. It would be hardly well to invite the House to consider on Wednesday at 12 o'clock Papers only received at 10 o'clock. But, assuming that they are circulated to-morrow, I hope the House will be disposed to take

the Motion on Wednesday. Partly from the nature of the subject, partly from the character of the reference which has been made to the House, and which has now been before the public for ten days or more, and partly from the date at which we have arrived in the Session, it is very desirable that we should proceed with this matter at the earliest possible moment, even if it were only that hon. Members might be sure that they would have every reasonable and fair opportunity of discussing the question. It is not like a matter where the information is very occult. It is easily brought into view; and I do not think that it has ever been a practice of the House to require in questions of this kind the intervention of any long interval before proceeding. On the assumption that we have the Papers to-morrow, I hope that the House may be disposed to agree to the Motion.

MR. BRADLAUGH: Of course, I do not know what the contents of the Report may be, but, assuming that the Report contains some reference to matters which have been already raised in debate as, for example, the savings on the Civil List clauses, it will require some few hours for Members who have not had the advantage of the discussion in Committee to inquire into the various precedents. And, of course, if we get the Papers even the first thing to-morrow morning that will not be easy. Hon. Members opposite have evidently not followed the precedents in these matters as closely as I have. To carelessly go through the Papers will only prolong the Debate, and, perhaps, raise questions which might be avoided. Unless the right hon. Gentleman is perfectly sure that the Report and Appendices will be in the hands of Hon. Members to-morrow, I hope he will postpone the date.

MR. STOREY (Sunderland): The right hon. Gentleman has been far from trying to meet the views of the hon. Member for Northampton, who suggested Thursday. [*Cries of "Monday."*] I am quite accurate; I am quite aware that my hon. Friend named Monday, but I am referring to what passed in the Committee, when the hon. Gentleman proposed Thursday.

MR. LABOUCHERE: I wish to explain. I cannot refer to what passed in the Committee because it is not official.

Mr. Labouchere

My hon. Friend asked me when I should like to take this discussion, and I then stated that I was in hopes, from what had fallen unofficially from the right hon. Gentleman the First Lord of the Treasury, that he would assent to take the discussion on Thursday. If he will agree to Thursday then I think that in this part of the House we are perfectly ready to accept the motion.

MR. W. H. SMITH: If that is the case I readily agree to Thursday.

Amendment, by leave, withdrawn.

Question amended, by leaving out the word "Wednesday," and inserting the word "Thursday."

Resolved, That this House will, upon Thursday next, resolve itself into a Committee to take into consideration Her Majesty's Most Gracious Messages of 2nd July.

BANN DRAINAGE BILL. (No. 257.)

Reported from the Select Committee, with Minutes of Evidence.

Report to lie upon the Table, and to be printed. [No. 272.]

Bill re-committed to a Committee of the Whole House for Thursday, and to be printed. [Bill 344.]

CLERICAL DISABILITIES ACT, 1870.

Address for—

"Return of all persons admitted to the office of Priest or Deacon in the Church of England, who, having under the provisions of 'The Clerical Disabilities Act, 1870,' executed Deeds of Relinquishment of the office of Priest or Deacon (as the case may be) have, in the years 1884 to 1888, inclusive, caused the same to be enrolled in the High Court;" "And, of the number of Deeds which have been recorded in the same period in the Diocesan Registries in the Dioceses of England and Wales under the provisions of 'The Clerical Disabilities Act, 1870' (in continuation of Parliamentary Paper, No. 260, of Session 1884)." —(*Mr. John Talbot.*)

MESSAGE FROM THE LORDS.

That they have passed a Bill, intituled, "An Act to declare the boundaries of the Province of Ontario, in the Dominion of Canada." [Canada (Ontario Boundary) Bill—Lords.]

YORKSHIRE PROVIDENT INSURANCE COMPANY.

Order for the consideration of the Report of the Select Committee read.

*MR. SPEAKER: This Report being on a question of privilege, it is properly put as the first Order of the Day. But I find that the House ordered the proceedings of the Committee to be printed, and clearly that Order ought to have been complied with. The Report of the proceedings not being now before the House, it should be considered to-morrow.

Consideration of Report deferred until Tuesday.

ORDERS OF THE DAY.

LOCAL GOVERNMENT (SCOTLAND)

BILL (No. 334).

Order for consideration of Bill, as amended, read.

*MR. ESSLEMONT (Aberdeen, E.): I beg to move that the Bill be recommended, and—

"That it be an Instruction to the Committee that they have power to make provision to enable County Councils to pay the Returning Officer's expenses at any Parliamentary election which may have taken place in the county within the financial year out of the Probate Duty Fund."

It will be recollected that, during the past four years, attempts have been made to legislate upon this subject. A Bill was passed in 1886, but rejected by the House of Lords. Last year a memorial was submitted to the First Lord of the Treasury, signed by a majority of the Scotch Members, urging upon the Government the propriety of dealing with the matter. Although the Session was protracted, the right hon. Gentleman was unable to afford an opportunity for discussing the question. I think it is essential, if we are to have popular representation, that the proposal contained in this instruction to the Committee should be passed into law. It has nothing to do with the payment of Members of Parliament or the payment of their election expenses. The expenses referred to in the Instruction are simply those over which the candidate has no control whatever. At present, before a candidate can be nominated, he has to give security for his share of expenses varying from £500 to £700. I am aware that an objection may be taken to the provision we propose to insert in this Bill because the measure itself only applies to county constituen-

cies, and leaves the boroughs untouched. I submit that the borough constituencies are on a different platform, having a municipal organization within a limited area with expenses considerably lighter than those which are incurred in county elections. But we are now establishing County Councils, and we must provide the machinery necessary for conducting the elections; and all I ask is that the machinery provided shall be permanent and shall be applicable to Parliamentary as well as County Council elections. No doubt the existing system in regard to the payment of the statutory expenses of elections was introduced in the interests of the monied classes. My contention is, that such expenses ought not to be thrown upon the candidate. If we are to return to this House working class representatives, it is absolutely essential that this bar should be removed.

Motion made, and Question proposed, "That the Bill be re-committed in respect of a new clause,—(Returning Officers' expenses at Parliamentary elections.)"—(*Mr. Esslemont.*)

THE LORD ADVOCATE (*Mr. J. P. B. ROBERTSON, Bute*): No doubt the question raised by the hon. Member is very important, and of general interest; but, having regard to the interests which the hon. Member has in view, I doubt whether this is the appropriate occasion for the discussion. The House is now dealing with the Local Government of counties and their rating, and the hon. Member proposes that a provision for the payment of expenses, not for County elections, but for Parliamentary elections, shall be inserted in the Bill. Almost any desirable public or Imperial object could be brought with as much reason within the four corners of the Bill. I hope the hon. Member, especially at this period in the progress of the Bill, and the stage of the Session at which we have now arrived, will re-consider the expediency of moving this Instruction, and whether it may not be better to reserve the consideration of the subject for an opportunity when it can be considered on its own merits.

SIR G. TREVELYAN (*Glasgow, Bridgeton*): I think there is a great deal of force in what the right hon.

Mr. Esslemont

Gentleman has just said. It would be difficult to introduce a complicated and important clause in the Bill at this stage under which alone the system in Scotland is to be changed. None the less, however, my hon. Friend is right in using this opportunity to bring the question under the notice of the House. I hope my hon. Friend will withdraw the Instruction, and that the Government will consider themselves under a renewed obligation to meet what is undoubtedly the wish of the great majority of the Scottish Members. Next Session the Government will be without excuse in not introducing a Bill, which would pass through the House very easily, considering that the feeling in Scotland would be entirely in its favour.

*MR. ESSLEMONT: I will not press the Amendment, but I thought it desirable to bring it forward, seeing that the question has now been removed from the possibility of being discussed for three years in succession.

Motion, by leave, withdrawn.

Bill, as amended, considered.

A clause (Annual Budgets of District Committee),—(*Mr. Rathbone.*)—brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

MR. RATHBONE (*Carnarvonshire*): I trust that the Government will find themselves able to accept this Amendment, which simply deals with the local expenditure. I believe that the people of Scotland will not long remain satisfied with the multiplication of spending bodies, but will seek to concentrate all of them in one central authority. I do not see why our Scotch friends, who are 50 years in advance of England in almost everything else, should be one year behind us in this matter. I hope, therefore, the Government may see their way to the acceptance of this proposal.

MR. J. P. B. ROBERTSON: Any suggestion coming from the hon. Gentleman opposite deserves the utmost respect; but although I entirely sympathize with the object the hon. Member has in view, I think he can hardly have borne in mind the fact that we are not setting up a fully organized and complete District Council, but merely a District Council for limited purposes.

only, and one which does not call for such an elaborate system as is provided by the clause he has proposed. I may remind the hon. Gentleman that we have had some experience under the English Act, and the result has been to show that there is no necessity for so elaborate an organization as is demanded by this clause. Moreover, I think it is not desirable, unless for very cogent reasons, to cramp the action of the District Committees by dictating to them the exact methods they should adopt. Looking at the somewhat narrow scope given to these Councils in matters of finance this provision does not strike me as being needed, and on this ground, without in any way desiring to diminish the importance of the matter, I am unable to accept the clause.

MR. CALDWELL (Glasgow, St. Rollox): I think there is a good deal in this clause; because it will be seen that the District Committees have large powers, and will have to discharge separate functions with regard to three important matters—namely, the general council rate, parochial roads, and the public health, all of which will necessitate a large amount of taxation. The Road Trustees have had to make up a budget of their own, and that is sent in to the General County Board. I think that in view of all these matters it would be found desirable to admit this clause.

Question put, and negatived.

New Clause (Highways, counties of Aberdeen and Banff).—(*Mr. Duff*)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. J. P. B. ROBERTSON: I have no objection to the clause.

Question put, and agreed to.

Clause added.

DR. CAMERON (Glasgow, College Division): I have now to move the clause I have put on the Paper in reference to the payment of fees in certain cases by the School Boards. This provision was struck out in Committee; but its only effect would be to leave matters as they are under the existing Education Act. By an Amendment inserted at the very last stage in Committee on this Bill, two sections were

inserted, the first of which deals with the obligation of the School Boards to charge school fees, subject to certain exceptions. Section 69 of the Scotch Education Act imposes on parents the duty of providing elementary education for their children, and goes on to say that where the parent is, in consequence of poverty, unable to pay the fees for reading, writing, and arithmetic, it shall be his duty to go to the Parochial Board and ask that Board to pay, this provision being made applicable to the case of blind children, and it is also provided that the Board shall pay the fees in any State-aided school the parent may choose. Now, the Amendment which was inserted in the Bill repealing this provision was, I believe, inserted without a full appreciation of its effect, which was to relieve the parent of the duty of providing education for his children where unable to do so by reason of his poverty. Take the case of a widow, with a large family. She is at present enabled to go to the Parochial Board and get them to pay the children's fees in any Board School or Denominational School she may select in her own district, and under the clause inserted in the Bill as amended in Committee, that widow would be entirely cut off from this assistance. The principle of my Amendment is to leave the existing arrangement undisturbed, an arrangement by which payment from the rates is only to be given in those cases where the stipulations set forth in the Scotch Education Act are complied with. I maintain that it would be entirely overturning that principle if we were, by Section 86 inserted in this Bill, and under the circumstances I have stated, to repeal this provision of the Scotch Education Act. It is quite impossible to say that the voluntary schools shall provide these fees; and by the general admission of all parties the Parochial Board is not the body that should be called upon to fulfil the obligations required in these matters. The duty will devolve upon the School Board instead of the Parochial Board to pay the fees of poor persons. The result will be that, where fees are charged by School Boards, they will simply have to pay them with one hand and collect them with the other, or, in other words, remit the fees. If a parent sends his children to a voluntary school, as at

An hon. MEMBER: A quarter.

DR. CAMERON: My hon. Friend says a penny per quarter. I was not aware that the Scotch Education Department had ever sanctioned that low payment, but I do know that in many instances the total fees in certain districts have been under £2 or £3 a year, and in one case they were as low as 13s.; so that it is evident that in a large number of parishes the fees are less than 12s. per year per child. If the average all over Scotland is 12s., it is clear that in many cases the fees must be considerably above that sum. If you then distribute on the basis of the average attendance, the result will be that in those parishes where at the present moment very little expense is incurred in the shape of fees, and a great deal in the shape of rates, you will be allotting more than is required, and the rates will be relieved; while in districts where the education charges are defrayed to a large extent by fees and to a smaller extent by rates, the result would be even if you were to give the full amount of 12s. per scholar, you would not make up the deficiency in the fees, and you would inflict considerable hardship by compelling the School Board to put on an additional rate. Now, I wish to propose that where you apply this grant to the payment of fees, it shall be coupled with a condition that the schools in receipt of the grant shall give free education. In the district of Govan, where the fees are exceptionally high, it will be necessary, under the proposal of the Government, still to charge the fees, unless you couple with the giving of this grant the condition that free education in the compulsory standards shall be given. When I brought up this matter before, it was not discussed, and the Lord Advocate replied to me that it raised the question of graded schools. It does not. I do not wish to raise that matter at all. I do not propose to prevent any School Boards charging fees in any school it likes. All I suggest is that in those schools to which the grant is made, the education in the compulsory standards shall be free. I do not care for graded schools. I think they are snobbish; but if electors choose to empower their School Boards to have graded schools, I do not see why we should interfere with them, and if

the Boards prefer to establish schools in which a charge of ninepence a week can be made, there is no reason why we should prevent it. We can very well allow the ratepayers to manage their own business in this respect. But if the School Boards choose to keep up their fees, I do not see why they should participate in this grant of £246,000. We want this money to be given in Scotland in order to secure free education, and if you attach to the grant the condition I suggest, the result will be that the School Boards and the School Managers will have to consider whether or not it is worth their while in order to get the grant to make education free in the compulsory standards.

Clause (Provision as to probate duty grant for relief from payment of school fees.)—(*Dr. Cameron*,)—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

MR. J. P. B. ROBERTSON: I object to the Amendment and cannot accept it. There are schools conducted by the managers in which the parents are able and willing to pay fees, and in which it would be absurd if fees were not paid by the parents, and if this clause were inserted the managers would have to close such schools, in which most useful work is being done, and the receipts of which are often of great service in carrying on the ordinary public elementary schools, or they would have to forego their right to a grant in aid under the provisions of this Act. I protest against depriving them of that source of revenue. I think that would be very undesirable. The money will, I can assure the House, be administered by the Scotch Education Department with perfect *bona fides* and with the object of securing as many free places as possible. More than that it is manifest we cannot do. The House, indeed, has not imposed any further duty on us. I do not think the House will desire that more shall be said at this time. A great deal of interesting detail will require consideration, and the varying circumstances of the School Boards throughout the country will require an immense amount of application in dealing with them. At present it must be remembered certain fees are already paid to the schools by the Parochial

Boards. I think I consult the wishes of the House when I do not prosecute this subject further, but from no reticence on the part of the Government, but really because it is rather a matter which should be maturely considered in detail and after the scheme is set in motion.

MR. HUNTER (Aberdeen, N.): I trust my hon. Friend will not press this clause to a Division, because although I entirely sympathize with the object he has in view, I do not think there is any answer at all to the concluding remarks of the right hon. Gentleman the Lord Advocate. It is provided by the Bill that this money shall be dealt with by a Minute of the Scotch Education Department, and when that Minute is presented would undoubtedly be the proper occasion on which to raise such a question as that which my hon. Friend raises. My hon. Friend has said that if we part with the Bill we lose all power to influence the decision of the Scotch Education Department; but in considering what the Scotch Education Department will do with this money, we cannot entirely ignore the manner and spirit in which the Government have acted with reference to the opinions of the great majority of Scotch Members on this subject. I am bound to say the Government have made a concession to the overwhelming opinion, no doubt, of Scotland. They might have made that concession in a niggardly and grudging spirit, but they have acted very handsomely in the arrangements made with reference to the funds at their disposal; and I think, having regard to the manner in which the Government have hitherto met Scotch Members, we may well leave this subject for discussion until the Minute of the Education Department is before the House. I almost think that, under the circumstances, it savours of ungraciousness to anticipate at the present moment the opinion which the Scotch Education Department will ultimately have to put before the House. Therefore, while I quite agree with the spirit and scope of the clause of my hon. Friend, I think the introduction of the clause is premature, and I trust the hon. Gentleman will not compel us to divide, because agreeing with him, as I do, I shall feel bound on this occasion to support the Government.

MR. W. P. SINCLAIR (Falkirk Burghs): I am thankful to my hon. Friend the Member for the College Division of Glasgow for having introduced this subject, because a statement has in consequence been drawn from the Government which we very much wanted by way of explanation. But there my thankfulness ends. If the clause were adopted I believe the results would be most disastrous. It is absolutely necessary for the financial success of this scheme that the Government proposal should stand as at present, and that the schools in which fees may be charged should remain in the position the Government leave them. I think the hon. Gentleman would do well to withdraw his clause.

MR. CALDWELL: I hope my hon. Friend will not be deterred by the probable result of a Division from going to a Division. This is a subject which concerns the City of Glasgow more than any other part of Scotland, and it is a subject the discussion of which will not rest here, but will be carried on by the citizens of Glasgow. The proposal of the Government is that there are to be two classes of schools in Glasgow, schools in which no fees are to be paid in the compulsory standards, and alongside them fee-paying schools, in which no children are to be educated except those whose parents are able to pay school fees. To have two classes of schools in a community like Glasgow would be to introduce the question of social distinction, which has never yet been raised in the case of public aided schools in Scotland. If there be one thing more than another upon which this country is intent it is that if Government assistance is given it should be given in an open way, and so that all classes of the community may participate in it. Hyde Park is open to every child of the community. Would you think of proposing that a portion of Hyde Park should be enclosed, and that only a certain class of the community should be allowed to enter it? It would not be tolerated. The principle on which the old Parochial Schools of Scotland was conducted was that every child in the parish was upon an equal footing at school. The sons of landlords, tenants, peasants, and the poorest of the people sat on the same

form in the class. Of social distinction there was none, and the result was that the poorest child had the same opportunity, educationally, as the richest. What was the advantage of that system? It was that the interest of the higher classes was concentrated in the success of these public schools, and that the Scotch Parochial Schools were the best managed schools in the world. You are now about to divide the people of Glasgow into two classes, each of which is to receive State aid. That is very objectionable. We object to the better classes of society enjoying State aid in schools where they can pay a certain amount of school fees, and from which the general public are to be excluded. There is more than a question of sentiment involved in this matter. There are no less than one million pounds worth of educational endowments in Glasgow. These endowments are open to the children attending every State-aided school in Glasgow. If you have the schools on an equal footing every child is on an equal footing. If you have certain free schools which the poorer children attend, and if, on the other hand, you have better class schools which the better class children attend, what will be the result of the competition in the bursaries in the City of Glasgow? As a matter of course, the free school children will not have the same chance as the children of the wealthy people. Parents will find that the poor schools are attended by the riff-raff of the City, and that the attendance is very irregular. They will very probably find that in the fee-paying schools the attendance is more regular, that the education is more perfect, and that the teachers receive better remuneration. There is no doubt that parents would say—"By all means we would rather send our children to the select schools than to the free schools." We maintain that no grant should be paid in respect of schools in which fees are charged. It is said the money at the disposal of the Government is not sufficient to free all schools. The very object the Government have in view is to curtail the money that would otherwise ultimately go to the schools. If you exclude from this grant, or any portion of it, all those schools where school fees are charged, necessarily you leave a large sum to those

schools which do not charge any fees. The Government may commit themselves to the establishment of free education, and at the same time establish fee-paying schools; but they will find that their proceeding will not commend itself to the people of Scotland. Free education must be free all round; all classes of the community must stand on an equal footing in all schools. In the case of the parish churches in Scotland the principle adopted was that everyone, rich and poor alike, might attend the same church and obtain the same ministrations; and the schools in Scotland, at the time of the Reformation, were established on the principle of perfect social equality, which was continued down to 1872, when the Act was passed. You are now attempting to introduce a policy which is opposed to the feeling of Scotland. In matters of public policy, whether in relation to the Church, the School, or the State, the opinions of the Scottish people have always been in favour of perfect equality before the law. I do not agree that this is a question to be dealt with in a Minute by the Scotch Department. It ought to be settled in the Bill itself. We should have it clearly laid down in the Bill that the money is granted only to those schools where free education is actually given, and where all classes of the community are in a position of perfect equality. I hope my hon. Friend will press the matter to a Division.

*MR. PROVAND (Glasgow, Blackfriars, &c.): No doubt the opinion in Scotland is very much against the proposal in the Bill. It is looked upon as an attempt to create classes within the masses. It is certain there has always been a strong democratic feeling among the people of Scotland with reference to educational matters. My hon. Friend the Member for the College Division (Dr. Cameron) has shown that Scotland is to receive something like £50,000 less than is necessary to give free education. My hon. Friend has shown that fees in schools in Scotland amount to about £330,000 per annum. Even allowing from this a deduction of, say, £30,000 from the fees derived from the 6th Standard which is not compulsory, we have £300,000 to provide, against which the Government only give £246,000. There are, therefore, fully £50,000 short to meet the fees in all

Mr. Caldwell.

the schools in Scotland, and unless this £50,000 can in some way be provided, graded schools will be established, although against the opinion of the majority of the Liberal Scottish Members in this House, and against an enormous preponderance of opinion throughout Scotland. The Lord Advocate has stated that my hon. Friend the Member for the College Division has over-estimated the amount that will be deficient, and said that there would be the usual payment towards fees by the Parochial Boards to make up this amount, but the right hon. Gentleman has forgotten that the 86th clause in the Bill abolishes the payment of school fees by the Parochial Boards. There will, therefore, be nothing received to make up the deficiency which has been pointed out, and the financial position described by my hon. Friend appears to me to be unassailable. The figures show a deficit of something like £50,000, and unless the Lord Advocate can inform us how this is to be provided, the School Boards, or some of them, will be compelled to establish graded schools, which will certainly be very much against public sentiment throughout Scotland.

*MR. J. A. CAMPBELL (Glasgow and Aberdeen University): It rather surprises me that the three hon. Members for Glasgow who have spoken should found their opinions on the case of Glasgow. In my opinion, the case of Glasgow is fatal to this Amendment. The hon. Member for the College Division (Dr. Cameron) said a good deal about this money having been given to establish free education. I do not think that is an accurate way of stating the matter. A certain sum has been given to establish free education as far as the money will go—which is a different thing. The amount of money has been very considerably increased since this Bill was introduced, and from the very beginning it was stated that when once the principle of contributing towards the payment of fees was introduced it would be a great thing if the money could be so increased as to cover the compulsory standards as nearly as possible. This can be accomplished now in most cases, but in some it cannot; and one of the most notable cases, showing the insufficiency of the money to free the compul-

sory standards, is in Glasgow itself. The School Board for Glasgow expect that their portion of this money will be about £23,000, but the amount of fees they now receive for the Fifth Standard and all under is nearly £33,000; so that, with the money they are to receive from the Probate Duty Grant, they cannot free the compulsory standards; but, with such liberty as they will have if this Amendment is not carried, they will be able to meet the case. Graded schools are in existence. In Glasgow itself, and under the School Board, there is a system of graded schools, not arising from any *a priori* theory of the School Board, but from the fact that different kinds of schools are wanted in different parts of the city. They have something like five different rates of school fees in the schools under their care. If the schools are all to be of the same grade it will be necessary either to raise the grade of many of them, giving a more expensive class of schools, and increasing the burden on the rates, or to bring down the quality of certain schools. If we do the latter, we shall do a great injustice to a large number of ratepayers who wish to have schools to which they can send their children with comfort and satisfaction, and for which they are quite willing to pay fees. I hope the House will reject the Amendment of my hon. Friend, the result of which if carried would simply be to reduce the quality of the education in Scotland.

*MR. C. S. PARKER (Perth): I agree with the hon. Member for Aberdeen (Mr. Hunter), that the hon. Mover of the Amendment would do well to withdraw it, and present it again when the House is in possession of the Minute of the Education Department. I am strongly in favour of leaving the Bill in its present state. I wish to know whether the hon. Mover of the Amendment has placed himself in communication with the School Board for Glasgow, which sent a deputation here on this very question, and whether he has heard the arguments of the School Board on the subject. The Glasgow School Board is as much in favour as anybody of promoting free education; and I understand that their present feeling is in favour of doing so as far as the grant proposed will go. What we want is to have as much money as possible available in that direction, but if a

clause be placed in the Bill absolutely prohibiting fees, or fining those schools which charge fees, money is withdrawn which would be valuable in establishing free education. As has been stated by the hon. Member for the University of Glasgow (Mr. J. A. Campbell), the Glasgow School Board have five grades of schools, and this policy has arisen historically from the fact that in dealing with schools in different districts in the city they found traditional fees suited to the habits and resources of each district, and these were continued. You have schools with no fees, schools with penny fees, and schools with higher fees in Glasgow, and if you permit the School Board of Glasgow—and Glasgow may be taken as representing a large part of Scotland—to have 10 or possibly 12 schools charging fees, what they wish is to have their share of the Probate Grant to throw into a common fund which the Board administers. The fallacy lies in supposing you are dealing with individual schools. You say that individual schools receiving fees should not receive this money from the Probate Grant. But you do not make the payment to individual schools, but to the School Board in respect of certain schools, and having made the payment to the School Board the money goes into the general fund, and is available for the financial arrangements of the Board wherever the needs are greatest. In Glasgow, as has been pointed out, the Board cannot make ends meet unless you allow them to have fees paid in some schools and also allow them to draw a share of the Probate Grant in respect of children in those schools, but applicable towards free education in other schools. The hon. Member for the St. Rollox Division (Mr. Caldwell) says if you allow the two kinds of schools in Glasgow, some with fees and some without, then those children who come from better families will go to the schools where fees are charged, will there get better teaching, will be better qualified for competition, and so they will get hold of the best endowments. He admits, however, that these children of the better class do this at present, so that at any rate things will be no worse. But surely there is a simple mode of preventing any injustice that might so arise. The educational endowments in Glasgow are under four different bodies who have

the administration of them. at any rate there are four funds to administer; well, then, in order that the very poorest shall not be deprived of advantages from the endowments, it is quite open to those who have the management of the endowments to say that they will confine certain endowments to a certain class of schools, to say for instance, that no children shall compete whose school fees are above a certain amount. Or you might even say that in some cases there shall be no competition by children from schools where any fees are charged. The difference between schools where fees are paid and those where there are no fees may be taken roughly as representing a difference in the means of the parents, and it will be open to those who have the administration of the endowment funds to exclude from competition the children attending the higher schools. But this case of Glasgow is only one illustration of the broad principle which I have begged hon. Members to consider in reference to the question of free education. There are three great sources of support for education, the rates, the taxes, and the large sum which hitherto has been contributed by parents in the shape of fees, and I cannot see why in deference to the abstract principle of free education we should unwisely and unnecessarily throw away the whole of the income we are getting from fees. Relieve those who cannot pay fees, have schools that may be attended without payment of fees, but where parents are anxious and willing to pay keep that source of income open for the present. If you do not, you will find when you come to meet the great needs of the future, technical schools, evening schools, higher schools, the strengthening of the teaching staff, and so on, that you are short of funds. You must come again to ratepayers and taxpayers for assistance, and ratepayers and taxpayers may refuse that assistance, and desirable reforms will be postponed because the State has intervened between parents, who surely are the natural persons to have the liberty of paying fees for their children's education if they like, and the managers of schools, and says if you have anything to do with public schools you must pay no fees for your children's education.

Mr. C. S. Parker

As to the traditional custom in Scotland, it is quite true that in old times the children of the rich and poor often sat in the same school, but it is not true that they were on the same footing as regards fees. Those who could afford it paid fees, sometimes high fees; and those who could not were admitted free. In the country schools and in small towns this may still continue, but in large towns it will be found that those who can afford to pay very liberal fees will send their children to one school, and others who cannot afford fees will send their children where there are no fees at all.

*MR. ESSLEMONT: Perhaps I may be allowed a word of explanation in regard to my vote. I disagreed with my hon. Friend the Member for the College Division on his last Amendment and voted against him, but according to the statement he has made now and the Amendment before us, I understand what he means is this—that we shall not have in the same schools the gradation of fee paying and non-paying pupils. If my hon. Friend wishes to confine his Amendment to the same school, I would agree with him. If that is the meaning of his Amendment, then I can support it; I wish now to say that I am able to vote with him. I am sorry that he did not support a principle more important, whereby the sum would have been made sufficient not to give to State-aided schools but only public schools any grant whatever. On that principle my hon. Friend parted from me and left me standing alone. I hope, however, my hon. Friend will return to that some day, and in the meantime if my hon. Friend means there shall not be a gradation in the same school whereby a division shall be made between paying and non-paying pupils I shall support the Amendment.

The House divided:—Ayes 98; Noes 218.—(Div. List, No. 236.)

MR. McDONALD CAMERON (Wick, &c.): I believe this clause, notice of which stands in my name, the payment of the travelling expenses of Councillors, would make a pecuniary charge, and that it is therefore not competent for me to move it. I only rise to ask the Lord Advocate if he is disposed to accept, and has prevailed with his colleagues to in-

duce them to accept, something in the nature of this clause.

MR. J. P. B. ROBERTSON: I am not in favour of the clause as it stands.

MR. McDONALD CAMERON: But will the right hon. and learned Gentleman say what modification of the clause he would be disposed to favour?

MR. J. P. B. ROBERTSON: I am sorry to say the suggestion I made did not meet with acceptance. My suggestion was that in exceptional cases payment might be made towards travelling expenses of County Councillors, but the information I gathered satisfied me that I was not likely to receive support to my proposal.

MR. CALDWELL: I rise to move the Amendment, of which I have given notice, the insertion of a new clause having reference to the application of the Act to the County of Stirling. The Government have accepted and added to the Bill an Amendment proposed by the hon. Member for Dumbarton (Sir Archibald Orr Ewing), which has for its object the taking out of the County of Stirling certain parishes and bringing them into the County of Dumbarton, and the effect will be the unsettling of the boundary of Stirling as fixed by the Roads and Bridges Act. The object of my new clause is, considering that you are going to take out of the county of Stirling certain parishes which originally belonged to Dumbarton, and to restore to them to Dumbarton, my object is to restore to Stirling parishes from Dumbarton and Perth that originally formed part of Stirling. It is a simple question. If the Lord Advocate is going to disturb the existing boundaries of counties in the interest of Dumbarton, then he should equally have regard to Stirling, and set the boundaries of that county right. This new clause would not be needed if the Lord Advocate would agree to strike out Clause 40, which disturbs the present arrangement for the County of Stirling, but if that arrangement is to be destroyed then it is necessary that the county should be restored to the position it occupied before the passing of the Roads and Bridges Act, and this I propose by the clause I now move.

New Clause (Application of Act to county of Stirling.)—(*Mr. Caldwell.*)—brought up, and read the first time.

Dr. CLARK: If you leave out "eighty-one," how will you determine the population?

Mr. J. P. B. ROBERTSON: We put in the clause words which carry the 7,000, then we have the interpretation clause providing that the words shall be held to mean what appears under the Census of 1881, or a number, if greater than that, which shall be established to the satisfaction of the Secretary for Scotland within 10 days of the passing of the Act.

Question, "That the words 'eighty-one' stand part of the Clause," put, and negatived.

Question, "That the words 'which contains' be there inserted," put, and agreed to.

Amendment proposed, Clause 8, page 2, line 32, to leave out the words "or with which it has the largest common boundary," and insert the words "which contains the largest number of the electors of such burgh,"—(Mr. Caldwell.)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Clause."

Mr. J. P. B. ROBERTSON: I do not know which should be selected as the better criterion for determining this question, but it seems to me that to take the course suggested by the right hon. Gentleman would lead to great confusion as we are accustomed to the other method under the Scotch Roads and Bridges Act, and some other Scotch Statutes.

Amendment, by leave, withdrawn.

Amendment moved, Clause 8, page 2, line 39, after "year," insert "in which the election of a County Council is appointed to take place."—(Mr. J. P. B. Robertson.)

Mr. CALDWELL: The next Amendment is to make the clause clear, as it is very confused as it stands. The clause says the term of office for a County Councillor for a burgh shall be three years, but in the case of the first election it can only be something over two years. The first election is to take place in February, and it will end two years the November following. But the Bill says it shall be for three years,

which will make the period of the appointment of a County Councillor run different to the period of the appointment of a Councillor for a burgh. The object of the Amendment is to provide that the term of office of a County Councillor for a burgh shall be the same as the term of office of a Councillor for an electoral division of a county, and the appointment of a County Councillor for a burgh shall run from the day of the triennial County Council election next ensuing his election. Without this Amendment there would be two periods of election. Its meaning is that though you appoint your burgh members for the County Council in November, yet the appointment is to run from the triennial election of the rest of the County Councillors. It is a drafting Amendment to make the Clause clear and intelligible. Complaints are frequently made that Acts of Parliament are passed in an unintelligible form, and that is a thing I wish to correct here. Of course if the Lord Advocate does not accept the Amendment it is no affair of mine.

Amendment moved, Clause 8, page 2, line 41, after "be," insert—

"The same as the term of office of a Councillor for an electoral division of a county, and the appointment of a County Councillor for a burgh run date from the day of the triennial County Council election next ensuing his election."—(Mr. Caldwell.)

Question proposed, "That those words be there inserted."

Mr. J. P. B. ROBERTSON: I am ready to accept Amendments to improve the drafting of the Bill, but I cannot accept this, which would add to the labours of the House and only lead to obscurity. All this is cleared up by Section 30, which deals with the dates of the election for the first three years.

Question put, and negatived.

Mr. CALDWELL: As the sub-section stands, the only vacancy dealt with is that caused by a man in the ordinary course ceasing to be a Town Councillor. No doubt the intention is that, however the vacancy occurs, it should be filled up. According to my Amendment, the vacancy would be filled up not merely in the event of a vacancy arising under the sub-section, but in the event of a vacancy arising by death or otherwise.

Amendment proposed, in page 3, line 1, to leave out from the word "Councillor," to the word "but," in line 3, and to insert the words:—

"And in the event of a casual vacancy occurring caused by death, resignation, or disqualification, such casual vacancy shall as soon as practicable be filled up by the Town Council."
—(*Mr. Caldwell.*)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. J. P. B. ROBERTSON: I propose to accept an Amendment which has been put down in the right place by the Member for Forfarshire, but which will be moved by the hon. Member for Roxburghshire. The proper place for this Amendment is the special section which relates to casual vacancies.

Amendment, by leave, withdrawn.

Amendment agreed to, Clause 8, page 3, line 4, leave out after "election," to end of Clause.—(*Mr. J. P. B. Robertson.*)

Amendment moved, in page 3, line 6, after the word "election," to insert the following sub-sections:—

"(3) The provisions of this section shall apply to a Royal burgh which contains a population of more than seven thousand, but does not return or contribute to return a Member to Parliament;

"(4) The expression 'The Representation of the People Acts,' in section three of 'The Representation of the People Act, 1884,' is hereby declared to include the Acts regulating the registration of municipal electors."—(*The Lord Advocate.*)

SIR G. CAMPBELL (Kirkcaldy, &c.): It may be, of course, that I am stupid, but I must confess I do not understand the proposed definition of burghs. The Bill in one part deals with Royal and Parliamentary burghs, and I do not know why it is necessary to bring in this section—

"The provisions of this section shall apply to a Royal burgh which contains a population of more than 7,000, but does not return or contribute to return a Member of Parliament."

A Royal burgh comes within the definition of the law, and I cannot understand why this should be necessary.

*MR. D. CRAWFORD (Lanark, N.E.): I cannot say that I share the objection of the hon. Gentleman (Sir G. Campbell), but I have another of a different kind. It may be called an objection to the

drafting of the Amendment, but in this case the drafting is of great importance. The clause proposed alters the principle of the Representation of the People Act, and I would, therefore, ask your ruling, Sir, whether it is competent to move it here. It interferes with the service franchise, and anyone reading the Representation of the People Act of 1884, and who afterwards looked through the titles of subsequent Statutes would have no notice that the Representation of the People Act was altered by this Act. I do not dwell on the fact that in terms this is an alteration of the law of England as well as of Scotland, seeing that the Representation of the People Act applies to both countries. No doubt that will be controlled by the title of the Bill when it becomes an Act; but it seems very inexpedient that you should attempt to alter the Representation of the People Act in this way.

MR. J. P. B. ROBERTSON: On the question of order, Sir, I would explain that the Representation of the People Act, dealing naturally with Parliamentary elections, makes a certain use of the municipal roll. One result has been that a question arose as to whether service franchise holders have votes both for Parliamentary purposes and also, by incidental enactment, for municipal purposes. What we now propose is to declare that a certain enactment in a Parliamentary Election Act has the effect, which is generally ascribed to it, of conferring the franchise for municipal purposes.

*MR. SPEAKER: There is no objection to the words of the Amendment as a matter of order.

MR. A. ELLIOT (Roxburgh): Is the object of this sub-section to qualify for municipal purposes those who are disqualified in the burghs? The service franchise gives a qualification for Parliamentary but not for municipal purposes. Is the object now to qualify for all municipal rights in burghs?

MR. J. P. B. ROBERTSON: That is the object. There has been a diversity of practice in Scotch burghs. One eminent lawyer who is not on the Front Bench just now is of opinion that the service franchise people are not entitled to vote at municipal elections; but other eminent lawyers are of a contrary opinion. This comes into the Bill because we are giving the service fran-

this in counties, and it would seem by parity of reasoning that it might at the same time be given in the burghs.

Mr. TAYLOR: I would move to add to the proposed Amendment the words "for the purposes of the Act."

Amendment proposed, in line 4 of proposed Amendment, before the word "The," to insert the words "For the purpose of this Act."—*Mr. Taylor.*

Question proposed: That those words be inserted in the proposed Amendment.

Mr. J. P. B. ROBERTSON: Once for all I would point out that we propose that the service franchise people should have votes within the burghs both for municipal and Parliamentary purposes—for general purposes as well as the purposes of this Act. How would you work out the provision if you said that persons are to be elected for the purposes of this Act on one franchise, and for the purposes of other Acts on other franchises? The thing is impossible.

Mr. CAMPBELL-BANNERMAN: I agree that these words are not desirable. I desire that the Service Franchise-holders should in burghs have the Municipal Franchise, the only point raised by the hon. Member for North-East Lanark being whether this is the right way of doing it. That point having been decided by the Chair, I presume that there is no more to be said.

Mr. D. CRAWFORD: I think that the object of the Lord Advocate's Amendment is a good one; but it might have been attained in a better way. If, however, the Lord Advocate takes the responsibility as to the method, I shall say nothing more.

Amendment to the proposed Amendment, by leave, withdrawn.

Original Question again proposed.

The CHAIRMAN: I would submit to the Lord Advocate whether he is not interfering with the Municipal Franchise in England as well as Scotland by the terms of his proposal?

Mr. J. P. B. ROBERTSON: I would point out to the right hon. Genl.

Mr. J. P. B. Robertson

that the second clause is "This Act shall extend to Scotland only."

Question put and agreed to; words inserted.

Mr. FORTH Dundee: The situation which the Amendment standing in my name proposes would leave women otherwise qualified eligible for election as County Councillors. I raised the question in Committee, and if the decision of the Committee had been such as to fairly reflect opinions in different quarters of the House, I would not have troubled the House with the matter at this stage. The issue is a very important one, and what occurred in Committee seems to me to afford a justification for making another appeal to the House. Under this Act women will be electors; and if this clause were expunged it is doubtful whether they might not also be elected. Above all things the Act is intended to be a utilitarian measure, and the question is what would be the advantage of allowing women to be elected. If there was no good to be gained by electing women, they would scarcely have been elected in England, and certainly they would not be elected in Scotland, and in that case an enabling clause would be inoperative. But I do not believe it would be inoperative. In all probability a few women would be elected, because there is a certain number of things which they could attend to much better than men can attend to them. No better illustration could be afforded of the necessity for electing some women than is furnished by the fact that the County Councils have charges of lunatic asylums, in which there are so many thousand female inmates, about whom women can obtain information much better than men. The people of Scotland would not elect any women County Councillors unless they were convinced that their election would be for the public good.

Amendment proposed, in page 3, line 1, to leave out the words "No woman," and insert the words "Any woman otherwise qualified."—*(Mr. FORTH.)*

Question proposed, "That the words 'woman' stand part of the Bill."

There is nothing women serving whose duties

are to look after the administration of the Public Health Act, and to deal with the rates. Surely if that be so there are equal reasons why they should have left open to them the career of County Councillors. In many places in England ladies have been elected on the Councils, and I do not see why the electors should not have the greatest latitude in determining whom they should elect as their representatives.

SIR G. CAMPBELL: I do not think this Amendment is moved in the interest of Scotland. Scotch women do not want to become County Councillors, they have too much sense. This Amendment is put forward with the object of capturing an outpost from which to bombard a stronghold of men in England. I hope the House will adhere to the decision it arrived at in Committee.

DR. FARQUHARSON (Aberdeenshire, W.): I think we may safely leave to women themselves the right of deciding whether women shall or shall not be elected. I think it is tyrannical in the extreme to limit their choice; I took the chair at one of Miss Cobden's election meetings in London, and I could not help seeing that there was a very strong feeling not only among women but among men that it was very important, in view of the class of work to be carried out in the County Councils, that women should have the opportunity of representing the electors on those bodies. It is perfectly well known that we get our physical properties from our fathers and our mental qualities from our mothers, and it seems to me very important indeed that the mental faculties of women should be sharpened up as much as possible in order to breed good women. I am also a believer in heredity, and I think that if our mothers could have the opportunity of being brought up in public life we might have been better Members of Parliament than we are now. From these points of view I have great pleasure in supporting the Amendment.

MR. A. GATHORNE-HARDY (East Grinstead, Sussex): I would point out that we are not going to vote on this occasion on the question whether women should or should not be elected to the County Councils. I express my opinion on the provision in the Bill that women should be elected to the County Councils.

is struck out the result will not be that women can be elected, but merely that they may be exposed to law-suits. To save a lady from that contingency, I shall support the Bill as it stands.

*MR. CHANNING (Northampton, E.): I would point out to the hon. Member who has just sat down that the Bill did not in its original form contain the words excluding women from election on County Councils. The words were afterwards inserted by the Lord Advocate. As to the hon. Member for Kirkcaldy (Sir G. Campbell), he must be unfortunate in his acquaintance with Scottish women if he does not know that in Edinburgh there are women who are quite as well qualified as men—better qualified than many men—to discharge the duties of County Councillors. The right hon. Gentleman the First Lord of the Treasury (Mr. W. H. Smith), when I recently asked for a day for the discussion of the question, treated the matter with some contempt. I think that if the right hon. Gentleman were to qualify as a Scotch candidate and stand against some of the ladies in Edinburgh, there is not the slightest doubt as to where the victory would lie. I hope the House will not consent to this unnecessary exclusion of women from a duty for which they are eminently fitted.

MR. COSSHAM (Bristol): I am very doubtful whether it would be well either for women or for the State to bring them into public life, but I think it is almost too late to raise that question now. As you have admitted women to the franchise, I think you must also allow them to be elected. I should have voted against their being admitted to the franchise, but as they have been admitted, I shall vote for their being allowed to be elected.

SIR ARCHIBALD CAMPBELL (Renfrew, W.): It has clearly taxed the ingenuity of hon. Gentlemen opposite to find out a reason why women should be elected to serve on County Councils, and the feeble arguments used by hon. Gentlemen opposite in favour of the Amendment seem to me quite sufficient to enable the House to decide in favour of the Bill as it stands.

DR. CLARK (Caithness): I may point out that the burgh which the hon. Member who has just spoken represents had a lady as Chairwoman of the School Board. It has been pointed out that the

Local Government Board has refused to appoint female inspectors, and that if women are elected on the County Councils we shall be able to have visitation and inspection by ladies, and female patients will be able to bring before them facts which they could not bring before any male visitor. It surely cannot be right for this House to prevent any constituency in a county from electing a female if that constituency desires to be represented by a female.

*MR. M'LAREN (Cheshire, Crewe): In asking the House to agree to the Amendment I do not base my argument at all on the ground that it necessarily follows that because women are entitled to vote in these elections they are, therefore, entitled to be elected. We maintain that it is distinctly to the advantage of the County Councils that women should be elected to them. I know myself numbers of persons in Scotland who would be desirous of nominating women as candidates for the County Council. A lady has sat in Scotland as Chairman of a School Board, and everybody conversant with Edinburgh knows that Miss Stevenson, the lady member of the School Board there, is the most influential member of the Board, and is often deputed to visit London to interview the Scotch Office on matters of importance. She is also the only member of the School Board who has been elected at every election since the Act was passed. Numbers of women have been elected members of Boards of Guardians, and have done good work on such Boards. I am convinced from my knowledge of Scotland that there is a very strong desire that women should be elected to these Boards, and I hope the House will assent to the Amendment.

The House divided:—Ayes 160; Noes 88.—(Div. List, No. 257.)

Motion made and Question put, Clause 10, page 3, line 32, after "(1)," insert "The Chairman of the County Council, who shall be called."—(*The Lord Advocate*).—Agreed to.

Motion made, and Question proposed, Clause 10, page 3, line 34, after "county," insert—

"But before acting as such justice he shall, if he has not already done so, take the o required by law to be taken by a Justice of Peace."—(*Mr. Caldwell*.)

Dr. Clark

MR. J. P. B. ROBERTSON: I am unable to accept the Amendment of the hon. Gentleman.

Question. "That those words be there inserted," put, and negatived.

SIR G. CAMPBELL: I have now to move the Amendment I have upon the Paper—namely, to insert "three years" in the place of "one year" in clause 10, page 3, line 36. This matter of the duration of the Chairman's office was a good deal discussed in the English Bill, and I have a strong opinion in favour of making the period three years. The Provosts of all Scotch burghs are appointed for three years, which is a reasonable period and enables a man to make a position for himself, and I do not see why on the County Councils we should not follow the analogy afforded by the burghs. Again, in many cases, where the appointment was only for a year there would be a feeling against getting rid of the person holding the office after so short a term, and the result might be that the same person might retain the position year after year because the electors might not wish to cast a slur on him by refusing him re-election. If, however, the period were three years a man would know that he was not likely to be re-elected at the end of the term unless he had fulfilled his position so well that the electors desired to offer him an unusual mark of approval by re-appointing him.

Amendment proposed, in page 3, line 36, to leave out the words "one year," and insert the words "three years."—(*Sir George Campbell*).

Question proposed, "That the words 'one year' stand part of the Bill."

MR. J. P. B. ROBERTSON: As the hon. Gentleman has stated, this matter was fully discussed on a former occasion, and my recollection is that the general feeling was in favour of one year. That is the existing system in regard to the counties, and I think it would be better to have the proposal as it stands in the Bill.

MR. CALDWELL: There is no doubt that the convener of a county is appointed for a year, but the election of the Board is only for a year, and we have always acted on

the chairman
the currency
which he

presides. In the School Boards, where the elections are for three years, the chairman holds office for that period, and in all similar cases the chairman's term of office follows the duration of the body he is chairman of. There would be this advantage in making the term of office three years in the present case, that it would help to ensure a continuous policy, and I am also aware of the feeling mentioned by the hon. Gentleman the Member for Kirkcaldy (Sir George Campbell) that by making the chairmanship a matter of annual election the appointment, for the reason he stated, might be unnecessarily prolonged. It would, I think, be contrary to all precedent in Scotland if the chairman should be appointed for a period less than the duration of the body over which he is to preside.

Question put, and agreed to.

Motion made, and Question put, Clause 10, page 3, line 39, leave out from "office," to "and," in line 40, and insert "at the pleasure of the council."—(*Mr. Caldwell.*)—Agreed to.

Amendment proposed, in page 4, line 8, to leave out all the words after the word "occurred" to end of Clause.—(*The Lord Advocate.*)

Question, "That the words proposed to be left out stand part of the Clause," put, and rejected.

**MR. ESSELMONT*: In the Amendment I have to propose, I desire to raise the question as to the powers of the Commissioners of Supply. My Amendment is absolutely to take away those powers which are only the charge of the police and capital expenditure. We had supposed that the Bill was founded upon the model of Town Councils in Scotland; and the Lord Advocate knows that those bodies in boroughs would not for one moment submit to a limitation which deprived them of the control of their police and of capital expenditure. And if there is anything to be said of the control of Town Councils over police and capital expenditure, it would equally apply to County Councils. But by the Bill you are creating a machinery which will practically have no responsible work whatever. The work of the County Council is limited to such an extent that there will be an agitation from year to

year until the powers which are possessed by the boroughs are also possessed by County Councils.

Amendment proposed, in page 4, line 18, to leave out the words, "save as hereinafter mentioned."—(*Mr. Esselmont.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. J. P. B. ROBERTSON: It is no want of respect to the hon. Gentleman if I say that I doubt whether the House desires to again discuss this subject, which has been debated with great clearness and fulness on the First and Second Readings and in Committee—I do not at all say at too great length. I cannot say that I feel myself that I could add anything to the reasons which prevailed with the majority. I assume that the object of the hon. Gentleman is either to enter a protest or take a Division, and I will not further stand between him and either object.

DR. CLARK: The Government are wrong in the course they have taken. The Commissioners have practically ceased to perform any functions, and they die, if not universally lamented, at all events in the full odour of sanctity. What I meant to point out is simply this, that you will be bringing the landlords and the people in Scotland constantly into conflict on two points; and it would be very much better in the future for Scotch landlords if you now allowed them to cease their functions and allow those matters of the control of the police and capital expenditure to remain in the hands of the people. The Commissioners have now a clean and honourable record, but if they continue to work under this clause, the result will be such as the Government will deplore.

**MR. CAMPBELL-BANNERMAN*: I am not at all surprised that my hon. Friend behind me has moved this Amendment, because it raised again at this stage a point of cardinal importance, and it would have been odd, after attaching so much importance to it, had we passed it over without notice. I agree, however, with the Lord Advocate that the question has been fully argued on both sides; and while I regret that the Government have remained obdurate not only to our arguments, but to the

demonstration of feeling on the part of the representatives of Scotland, which took place on an earlier stage of this Bill, I consider it better to content ourselves with a Division in order to express our feeling.

The House divided :—Ayes 102; Noes 75.—(Div. List, No. 238.)

MR. BUCHANAN (Edinburgh, W.): The Amendment I am about to move is in substance the same as that which I moved in Committee, though in words it is somewhat different. The words I have put on the Paper now were suggested to me during the course of the Debate in Committee by the hon. Member for Inverness, who supported me. The object is to throw upon inhabitant householders the responsibility for the maintenance of rights of public way. I felt justified in bringing up this matter again on the Report stage, although it has already been discussed in Committee, on the ground that although we were defeated in Committee by a majority of 27, the Division List showed that the Scottish vote was 5 to 1 in favour of my proposition.

Attention called to the fact that 40 Members not present. The House was counted; and, 40 Members being found present,

MR. BUCHANAN proceeded: Another reason why I bring forward the Motion again is that I think the Government may possibly think fit to give us at least part of what we want, inasmuch as I was supported in the Division Lobby by all the Liberal Unionist Members from Scotland, and even by one Conservative Member, and, generally speaking, the support I obtained may fairly be said to have been drawn from all quarters of the House. The arguments brought against my proposal were practically twofold. There was, first, the argument of the Solicitor General for Scotland that no grievance existed, and then there was the argument of the Lord Advocate that I was trying to induce the County Councils to levy war against individuals. I must say I thought the expression the Lord Advocate used was very unfortunate and regrettable. But, putting aside the words he used, I do not think the argument was a fair one, inasmuch as my proposal would have placed no obligation what-

ever on the County Councils. My present Amendment makes it perfectly clear that only a discretionary power is to be imposed on the County Council. As to the argument of the Solicitor General for Scotland that there is no grievance in Scotland, or if there is it is open to anyone to remedy it by what is known as a popular action which anyone can bring, I hardly think that contention will be brought forward again. During the Debate in Committee it was shown that last year a single society in Edinburgh was applied to no less than 40 times to defend rights of way. During the past few years there has been a tendency in the Highlands to shut up paths and roads over which rights of way are claimed. There is the well-known Glendall case. There the claim of the proprietor to shut up a road was no doubt openly contested by very few inhabitants either of Glendall or the surrounding districts, and no one had the hardihood to bring an action. An action was brought by a public society. The legal proceedings lasted over two-and-a-half years, and entailed no less than three trials, one before the Lord Ordinary of the Quarter Sessions, one before the Inner House of Quarter Sessions, and the other before the House of Lords. In each of these trials the society won the case. But the expenses of the litigation have amounted to between £4,000 and £5,000, and though the Rights of Way Society will have their costs paid, there is no less a sum than £650 incurred by the society, which will not be allowed under the award of costs. Now is it for a moment to be considered a just reply to the grievance alleged that there is no adequate protection for rights of way in Scotland, for the Solicitor General for Scotland or any other defender of this Bill to say that the protection of rights of way is a duty that can be performed by any single individual? It is almost impossible even for the richer and more popular parts of the country, and absolutely impossible for the poorer and more sparsely-populated parts of Scotland to make any practical use whatever of the protection that is at present afforded by the law. I most earnestly urge the Government to reconsider the position they took up on this subject during the Committee stage. I say there is a grievance

Mr. Campbell-Bannerman

felt throughout the length and breadth of the land, and chiefly in the Highlands and sparsely-populated districts, and I ask whether the duty of remedying this grievance could be more properly and adequately entrusted to any body other than the County Council?

Amendment proposed, in Clause 11, page 4, line 19, after the word "trustees," to insert the words—

"And the duty of maintaining, and the right, if they think fit, of taking or defending, proceedings for the protection of any public right of way over roads, drove roads, bridlepaths, and ferries."—(*Mr. Buchanan.*)

Question proposed, "That those words be there inserted."

DR. FARQUHARSON: This is a question of such great and pressing importance in the North that I think my hon. Friend has every justification for bringing it once more under the attention of the House. This is simply a demand made upon a popularly-elected tribunal to defend the existing rights of the people of Scotland. It is all very well to say that individuals can defend themselves, but, as any one who has had any experience of the law is aware, the assertion of a legal right is sometimes a very formidable affair. It is said that this power is not wanted. Anyone, however, who knows anything of the North will agree with my hon. Friend that cases of stopping up rights of way are too frequent, and individuals naturally hesitate before they plunge into the possibilities of legal processes. If this provision is not wanted, it will be a dead letter, and no harm will be done. But I say it is wanted, and it is not too much to ask that a tribunal like the County Council should have this little addition made to its responsibilities and duties. We are told that the question of right of way will be made an electioneering cry. Well, if such a question has anything in it, it is quite right that it should be brought forward at election time, and if it has not anything in it, I think the people of Scotland are too shrewd to be taken in by bogus electioneering cries. The County Councils will take care not to enter into bogus suits, and will take care that any claim put forward by those outside shall only be carried out by them

if there is some reasonable possibility of success, or if a strong claim is shown for popular redress.

*SIR D. CURRIE (Perthshire, W.): I have only to say in a word that I must support the Amendment of my hon. Friend as I did in the Committee. It appears to me it would be only a wise and a proper thing to throw on the County Councils the responsibility of defending the public rights.

*MR. HALDANE (Haddingtonshire): I cannot help hoping that the Government will see their way to meet what is obviously the opinion of the large majority of the Scottish Members. In Committee the Scotch Members supported the Amendment by, I believe, 51 to 10. While the Government have not departed from the main outlines of the Bill, I think they have shown a laudable wish to accede to our wishes in any reasonable matter where we have expressed these wishes by a large majority. On this point they have an opportunity of meeting us in a way that will give universal satisfaction. I can bear testimony to the extent to which these rights of way are gradually falling out of existence, not so much from the fault of landowners as from the absence of a public authority to see to their preservation. It is only of late years that people have become alive to the value of these rights. The Chancellor of the Exchequer himself, at a meeting of the Society for the Preservation of Rights of Way, in 1886, expressed himself strongly in favour of imposing this duty on a properly-constituted Local Authority. In the face of this expression of opinion it does seem to me to be difficult for the Lord Advocate to resist the appeal now made to him by the large majority of the Scottish Members.

*THE SOLICITOR GENERAL FOR SCOTLAND (MR. MOIR T. STORMONTH DARLING, Edinburgh and St. Andrew's Universities): The speech of the hon. Member who has just sat down shows perhaps some tendency to repetition of the arguments formerly used. I think it is the desire of the House that there should be no repetition of the arguments used in Committee, and I will make that my excuse for being very brief. The Government are still of opinion that it would be undesirable, in the interests of

the County Councils and their harmonious working, to intrust them with what can only be described as a licence to raise litigation. It is not at all necessary that I should throw any doubt upon the discretion and moderation with which this duty would be exercised if imposed on the County Councils. At the same time, to accept the Amendment would be practically to impose upon the County Councils the duty of raising lawsuits of a particularly delicate and contentious nature. There is nowadays no great tendency on the part of landowners to resist well-founded rights of this character, and therefore there is less need of an Amendment like the present. The hon. Mover of the Amendment said that 40 applications were received last year by the Edinburgh Rights of Way Society. Does the hon. Gentleman think that these 40 applications were all well founded? He knows as well as I do that among them must have been many which, upon examination, turned out to be not justified by the facts, whilst a number of the proprietors in other cases, when application was made to them, at once recognized the right of way. As to the Glendoll case, I will only say that I happen to know the district personally; and it is a fact that this is the only right of way out of a great many in that mountainous tract of country which has ever been resisted by the proprietor. On the whole matter the Government remain of the opinion that it would be unfortunate to entrust this power to the County Council. They are not insensible to the argument that to entrust this power to the County Council would rather tend to make proprietors more jealous of the formation of these rights. It must never be forgotten that these rights grow up by degrees, and if you put proprietors too much upon their guard, you will prevent any such rights being created.

DR. CLARK: We have had from the Solicitor General a repetition of the arguments that were used in Committee, and he scarcely seems to appreciate the difference between the Amendment now before us and the Amendment moved in Committee. The original Amendment in Committee was compulsory in character, but this is not. ["No, no."] However, the hon. and learned Gentle-

man's answer is the same, that there is no evidence to justify the Amendment. I might bring forward two cases that occurred quite lately, one in West Perthshire; the old "Sheriff Muir" road has been shut up by the neighbouring proprietor. Of course, the tenants endeavoured to maintain their right to use this old Scotch road, two centuries old; but it has been closed because it passes through the landlord's game preserves. Then there was a case lately in Caithness something similar, in which the Duke of Portland, a Member of the present Government, drawing £2,500 a year for doing nothing, and having great estates in the county, shut up the old road across Marven because it interfered with his deer forest and game preserves. He owns all the land round about, and the people cannot afford to fight for their rights against a powerful English duke who draws a large revenue from London and from the taxpayers, and so the right of way is lost. Now if this power were given to the County Councils these landed proprietors would think twice before they do these things, because they would know they would have to encounter the resistance of a powerful representative body instead of having only to use the landlord's privilege to intimidate and boycott against individual tenants. We seek to create no new rights of way, but only to preserve old rights that are being lost. In Committee I urged what I thought a strong reason in favour of this proposal, and this the hon. and learned Gentleman has not seen fit to reply to. I pointed out that there are many old parish roads and statute labour roads that were not transferred under the Roads and Bridges Act to the present road authorities; the old bodies that had charge of them have ceased to exist, and now these roads are the property of no one; they were constructed by public money centuries ago, but they were not scheduled in the Roads and Bridges Act, and so they have come under nobody's control, the old bodies who could rate for their maintenance having been abolished. These roads not being scheduled under the authority of the Road Trustees will not be transferred to the new County Councils. We have heard no reply at all to the strong reasons urged for this pro-

Mr. Moir T. Stormonth Darling

posal, the Solicitor General simply repeats the old story. I hope my hon. Friend will take a Division on his Amendment, and that again we shall have again Scotch opinion represented by five to one in its favour.

*MR. DONALD CRAWFORD: I think my hon. Friend has done right to renew his protest, but at the same time I should be sorry to add much to the prolongation of the Debate. I will only say a word or two in reply to the Solicitor General. The hon. and learned Gentleman has used an argument I have only heard used once before, and I scarcely think it is apposite. He said that the fact that proprietors in a great many instances had yielded to the claims made upon them by the Society for the Protection of Rights of Way was a proof that where those claims were well founded proprietors were ready to acknowledge them. Now, I once heard a similar argument used on Circuit in a Criminal Court in Scotland. A man was accused of theft, and six previous convictions were proved against him, and his counsel very ingeniously argued that as in each of these previous cases the prisoner had pleaded guilty, it must be accepted as proof of innocence that in the seventh case he had not pleaded guilty. It seems to me the argument of the Solicitor General is parallel to that, but I do not think it will carry more weight in this than the argument did in the other instance.

MR. PHILIPPS (Lanark, Mid): There need be no surprise that my hon. Friend has repeated arguments he may have used on a previous occasion, for if we repeat our protest we must more or less repeat arguments, especially if they have not been answered. The Solicitor General has not quite followed that course. On the last occasion we were answered by the Chief Secretary for Ireland, and he told us that it was a very great cause of regret to him that Scotch landlords were so very bad in this matter of seizing footpaths; but now the Solicitor General says that these landlords have not been so bad, but that in the preservation of footpaths Scotland has been rather fortunate. I cannot help thinking that some of these rights which the Secretary for Ireland admitted landlords have absorbed in past times would not have been lost beyond

hope of recovery if the County Council had power to spend money for the purpose of recovery. I do not for a moment accept the Solicitor General's suggestion that County Councils would be litigious in this matter. I believe, on the contrary, that they will be much more careful in regard to the public money than any body in existence. Nobody who reads the reports of what County Councils are doing in England will think they are reckless and extravagant—they rather seem instead to carry economy to a cheese-paring extent, and I never yet heard that extravagance is more a Scotch than an English characteristic. The Solicitor General referred to the success of the Scotch Society for looking after footpaths; but I think it is rather hard that the duty of maintaining and recovering public rights of way should be thrown upon a private body. The action of the Society represents a large sacrifice on the part of persons not particularly interested, and it is hard that people should be appealed to for pecuniary assistance for the purpose of guarding public rights—a duty which should devolve on public authorities with the assistance of the public purse. I hope that even at the last moment the Government may agree to this reasonable proposal.

SIR GEORGE CAMPBELL: I do not think this matter has been pressed or can be pressed too often. The Government are incurring great responsibility by their resistance to this Amendment. I am quite sure the Scotch people are in sympathy with the Amendment, and that the Government will suffer at the next election for their resistance to it. We do not wish to saddle upon the new authority a duty altogether alien to their other duties. One of the principal duties of the County Council will be to look after the roads, and we would attach to this the analogous duty of looking after footpaths and rights of way. I do not think the Solicitor General has said anything to strengthen the arguments of the Government used on a former occasion. I am glad he did not repeat the argument that the Courts are open to every poor man to vindicate a right he believes he has. I do not think if a poor man went to the Solicitor General for his assistance to vindicate his right he would make much of him.

It is notorious that a case of this kind requires a very long purse, and a most pertinacious spirit to support it. We have a Society which, by begging and dunning people for money, has been enabled to do much good; but the Society has undertaken a duty that ought to be discharged by a public authority—it is not a matter for private subscription. The Solicitor General says rights of way are gradually created, but I think it is just the other way. I think they are gradually being extinguished. A river floods a pathway, and it falls into desuetude; a sporting tenant during his temporary occupation puts up an obstruction, because a right of way interferes with his pursuits, and so the right of way is gradually lost. As to the fear that County Councils would promote law suits, I think this power would have an influence in the other direction. The County Council would, under this clause, be in possession of these existing rights, and it would be for other parties to bring law suits, and attack these rights if they dared. It would be a very different thing with a competent authority to defend public rights. I am sorry the Solicitor General takes such a very narrow view of this proposal. I am sure the Government will suffer for their attitude at the next election. We shall again go into the Lobby with the courage of our opinions.

The House divided:—Ayes 82; Noes 107.—(Div. List, No. 239.)

DR. CLARK: I move the Amendment that stands in my name, and I do so in order that some of the smaller harbours and piers may come under the cognizance of the County Council. Some of these harbours are called Board of Trade harbours, others are Fishery Board harbours, and others are old Trustee harbours. But the Board of Trade and the Fishery Board give no money for their maintenance, and the old Trustees have died out, and so piers are falling into decay, breakwaters are falling down, and the harbours are being lost. I have put my Amendment in a form I think the least objectionable, putting these under the category of capital works, requiring the sanction of the Commissioners of Supply, and in Clause 18 I propose to insert the construction or extension of piers and har-

Sir George Campbell

bours among capital works, so that nothing of this kind can be done without the sanction of the Commissioners of Supply. I could mention five or six harbours in Caithness; there are some in Sutherlandshire, and all down the East Coast there are small harbours, neglected and falling out of use, and the fishing population that would avail themselves of these harbours are moving away. I hope the Government will accept the Amendment in the moderate form in which I move it.

Amendment proposed, in page 4, line 36, after the word "thirty-six," to insert the words "The right to construct and maintain the capital works defined in Section 18."—(Dr. Clark.)

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: The whole significance of the Amendment is derived, not from the words the hon. Member now proposes to insert, but from those that follow in a subsequent section. The hon. Member avows that the works he has in contemplation are not works in the charge of the counties in Scotland. Now, our object in this Bill has been to transfer what are properly county works, according to existing administration, to the new County Body—the County Council. We go further, and under the provisions of Section 15 provide that with the consent of certain public Departments, there may be a transference made of certain statutory duties of those Departments to the County Councils. Now, suppose the Board of Trade (which is a case put by the hon. Member) is tired of the administration of certain harbour works, or considers it desirable that there should be a transfer, then, with the consent of that Department and of the County Council, the County Council may be invested with the powers and duties relating to such harbour works. That is the scheme and system of the present measure, and beyond that I cannot say it would be safe to go. Then I would point out to the hon. Member that his method would be unsuccessful in achieving the result he desires. He proposes to insert afterwards that the right to deal with piers and harbours shall be vested in County Councils; but he must go a

great deal further; he must provide, in the first place, for the new burden this would impose upon the ratepayers not existing at present, and this, I apprehend, would bring him within the scope of the Rules of the House, which require that this should be considered in Committee. The dilemma is this: Either the power he desires to give to the County Council of rating is at present vested in another body, and in that case it is a question of transfer, or, on the other hand, it is a new power, and, if so, it is a just burden. In the one case, it is part of Clause 15 which contains the accepted method of transfer; and, in the other case, as giving a new power to levy a rate, it is a question of larger scope, and though it may be for a useful purpose, it is not one it is competent for the hon. Member now to undertake.

Question put, and negatived.

MR. CALDWELL: I am glad the Chancellor of the Exchequer is in his place, because the next Amendment I have to move has reference to the financial part of the scheme. In the meantime, under Clause 19, I propose to leave out Sub-section 1; but the point to which I wish to call the attention of the Chancellor of the Exchequer is this—the distribution of the money under this Bill as compared with the English Bill. As the right hon. Gentleman is aware—

*MR. SPEAKER: Order, order! I think the hon. Member is in error. The next Amendment is on Clause 13.

Amendments agreed to:—Clause 13, page 5, line 39, after the second "burgh," leave out to "eighty-one," inclusive, in line 40, and insert "contains"; page 6, line 7, before "liabilities," insert "same"; line 8, after "county," add—

"For the purposes of Section 74 of 'The Police Act, 1857,' the expression 'this Act,' shall include 'The Local Government (Scotland) Act, 1889.'"—(MR. J. P. B. ROBERTSON.)

SIR A. CAMPBELL: I press the next Amendment strongly upon the attention of the Lord Advocate with the view of saving the police force in one of the most ancient burghs, if not the most ancient burgh in Scotland. I need not detain the House by going into the question, as I made use of strong argu-

ments in favour of the proposal on a former occasion. The case, I then argued, was a hard one, because, we believe, looking at the important works which are growing up there, that by this time next year the burgh to which I refer will have increased so as to bring it under the 7,000 condition. Living as close as I do to the burgh I can testify to the excellent manner in which they have worked their police. I urge the Amendment on public grounds, and I hope the Lord Advocate will see his way to accept it.

Amendment proposed, in page 6, line 8, after the word "county," to insert the words—

"Provided that this section shall not apply to any burgh which has maintained a separate police force during the ten years immediately preceding the passing of this Act."—(SIR A. CAMPBELL.)

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: This certainly is one of the most puzzling of the numerous cases to which our attention has been called. The burgh of Renfrew is about the only one, I should think, falling under the restriction to which the hon. Member refers. It is almost the only, if not the only, burgh which is so close on the population of 7,000, and which, to quote the words of my hon. Friend,

"has maintained a separate police force during the ten years immediately preceding the passing of this Act."

Most of the Royal burghs are in the position that they have accepted the arrangement opened to them under the Police Act, and have used the police force of the county. I believe the police force in the burgh in question efficient, and after full consideration of the matter I am bound to say I agree with the proposal. The next Amendment refers to the burgh of Lerwick, which is different to Renfrew, but I think it deserves consideration from its completely insular position. Perhaps the two might be coupled together, and I think it would be well to name them in the Amendment. I would suggest to the hon. Member for Renfrew that he should withdraw his Amendment, and also to the hon. Member for Orkney and Shetland (Mr.

"The power of appeal hereby given shall not apply to any order for the removal of a nuisance; and nothing in this Act contained shall affect or prejudice any proceedings to enforce the provisions of the Public Health Acts, save only that when necessary such proceedings shall be taken by or against the District Committee in-

stead of against the Parochial Board as Local Authority under the said Acts."

That, I think, would meet the most urgent case where expedition was required, and would leave within the region of the County Council the duty of supervising the action of the District Committee in matters where less urgency was desirable. I trust, therefore, the hon. Gentleman will see well to accept this, which I think harmonizes the two points of view which ought to influence the mind of the House.

DR. CAMERON: The removal of a "nuisance" is a technical expression. It means not only removing a dung-heap under the Public Health Act, but it may mean the destruction of an unhealthy house, which is, or may be, a nuisance under the Act. The wording of the Amendment does not meet the case at all. The case of an unhealthy house is pre-eminently a matter for the judicial decision of the Sheriff. The definition of a nuisance under the Public Health Act is so elastic as to include a large number of nuisances that are not of the trifling and immediate nature contemplated by the hon. Member.

Amendment, by leave, withdrawn.

Amendment agreed to, Clause 17, page 9, line 18, leave out "public health."—(*The Lord Advocate.*)

Amendment proposed, in page 9, line 22, after the word "appeal," to insert the words—

"but the power of appeal hereby given shall not apply to any order for the removal of a nuisance; and nothing in this Act contained shall affect or prejudice any proceedings to enforce the provisions of the Public Health Acts, save only that when necessary such proceedings shall be taken by or against the district committee instead of against the parochial board as local authority under the said Acts."—(*The Lord Advocate.*)

Question proposed, "That those words be there inserted."

DR. CAMERON: In connection with this Amendment I would mention the case of a fisherman who built a tent on the foreshore. The Sanitary Authorities condemned it as a nuisance on account of its unsanitary condition. The case gave rise to a great deal of popular feeling in the district. Well, nuisances are not confined to such temporary things as tents and huts, but I know cases

where they have been held to apply to houses, and where unhealthy houses have been ordered to be demolished.

MR. J. P. B. ROBERTSON: I am aware of the class of cases referred to, and of the instance the hon. Gentleman has cited, as he was good enough to direct my attention to it in the House. With regard to that class of case, the answer is simple. The matter is debatable, and one which, with absolute certainty, must be removed from the Sheriff to a higher Court for decision. A legal point is raised as to the right to force a man to take away his house instead of remedying the defects in it. That is an open question, and nothing that we do there can affect it.

DR. CLARK: The tent of the fisherman referred to was an eyesore, not a nuisance. At first an attempt was made to get the tent removed on the ground that it was a nuisance. The Medical Officer of Health was applied to to certify that it was a nuisance, and for 12 months he refused, but at length pressure was brought to bear on him. He gave the desired certificate, and the tent was pulled down. Of course, the man immediately re-erected the tent with the old materials. It seems that the soot had darkened the canvas, and that was said to be a nuisance; but, as a matter of fact, the structure was an eyesore to the Dunoon merchants, and this section of the Public Health Act was put into operation in order to interfere with this man. Considerable cost was incurred to remove a thing which was said to be a nuisance, but which was no nuisance at all, and which was built on the shore below high-water mark. I think the words of this Amendment should be qualified in some way or other, perhaps by adding the words "dangerous to public health," which would show that the nuisance was a real one. I move to add after the word "nuisance," the words "dangerous to the public health."

Amendment moved to the proposed Amendment, in line 2, after the word "nuisance" to insert the words "dangerous to the public health."—(*Dr. Clark.*)

Question proposed, "That those words be inserted in the proposed Amendment."

Mr. J. P. B. ROBERTSON: I strongly deprecate anything at all which would detract from the stringency of the law of public health. This Amendment would introduce a new category of nuisances, and suggest to the Public Health Authorities that there is to be one method of procedure for that and another for other kinds.

Dr. CAMERON: Perhaps the right hon. Gentleman will consider the matter.

Amendment to the proposed Amendment, by leave, withdrawn.

Original Amendment put and agreed to; words added.

Mr. CALDWELL: I beg to move to insert the following Amendment in line 22:—

"The Medical Officer or the Sanitary Inspector of the county or district may appeal to the County Council, and the County Council may make an order under the Public Health Acts."

It has been brought out during the discussions on the Bill that it is most important that there should be a Medical Officer of Health or a Sanitary Inspector for the whole county. He is to act as a Medical Officer of Health. Well, suppose the District Authority should not make an order he thinks ought to be made. It should be in his power to appeal against that decision to the County Council. You have given ratepayers under Sub-section (c) power to appeal to the County Council, and I think we should look at the opposite side of the question.

Amendment proposed, in page 9, line 22, after the foregoing Amendment, to insert the words—

"The medical officer or the sanitary inspector of the county or district, or any member of the district committee, may appeal to the county council from any determination of, or order made or refusal to make any order by, a district committee, and the county council shall have the jurisdiction of a court of appeal, and may review, confirm, vary, alter, or rescind such determination or order, or may make an order under the Public Health Acts."—
(Caldwell.)

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tary Inspector of the county a right of appeal.

Amendment, by leave, withdrawn.

Mr. CALDWELL: Under the law as at present existing, where a township consists of 20,000 inhabitants the Sanitary Inspector holds office at the pleasure of the Parochial Board. It is only in the case of the smaller parishes that the consent of the Board of Supervision is necessary for his removal. Now, these District Councils will be of such a size as to be practically in accordance with the parishes of 20,000 inhabitants, and the result will be that we will confer a larger power upon the one than the other. It is quite right that the County Council should have the duty of appointing the proper officers. If they are dissatisfied, they should not require the consent of the Board of Supervision to the dismissal of an officer. There is no reason why the District Councils should not be on the same basis as the burghs, which have the power of appointing and dismissing their own Sanitary Officers. The County Council will have perfect power to dismiss their Medical Officers of Health; that is not affected; and if they have that power, surely they ought to have the power of dismissing subordinates. Therefore, I propose an Amendment to the effect that these officers should hold office at the pleasure of the County Council. It will secure that the Medical Officer shall not be dismissed by the District Council without the consent of the County Council. That is the object of the Amendment, and I think that, in the circumstances, it is most reasonable.

Amendment proposed, in page 9, line 27, after the word "shall," to insert the words "hold office at the pleasure of the County Council, and shall."—
(Caldwell.)

Question proposed, "That those words are inserted."

Mr. J. P. B. ROBERTSON: I am not accept this
to me to raise

a question of serious importance. We are dealing with the existing machinery of the public health system, and I put it to the House whether it would be to strengthen or weaken that machinery, which we propose to transfer, if we removed the check upon the dismissal of officers. It is of vital importance that those officers should be men of independence, for they have invidious duties to perform which may make them unpopular, and it is important that they should not be subject to any unpopularity they may incur by interfering with people's domestic and sanitary arrangements. Popularly elected bodies must be more or less accessible to a strongly expressed grievance against a Medical or Sanitary Officer, and I strongly deprecate a proposal which would add to the risk of laxity or would remove the precaution requisite to insure, I will not say the integrity but the activity of the Sanitary Officers.

DR. FARQUHARSON: I am extremely glad to hear that the Lord Advocate will stand firm. I believe most emphatically every word he has said. It is a paramount necessity that the Medical and Sanitary Officers should be entirely free of local self-interests and prejudices. It is of the highest importance that they should be able to act without fear of dismissal, because they tread on local corns. I think their ultimate dismissal or retention in office should rest with an independent body, free from all prejudices.

Question put, and negatived.

Other Amendments made.

MR. CALDWELL: My next Amendment raises a question of considerable importance, and it involves the £30,000 to go to the Highlands. By the financial arrangements of this Bill it so happens that Scotland will be deprived of £30,000. This Bill follows the English Bill; and as Scotland has got

Duty and the whole of the Licences Duty. Scotland is getting the whole of the Probate Duty, and in place of our Licence Duty, which amounts to £323,000, we are only getting £256,000. The only explanation is that this Bill follows the English Bill, and that the first year is made a transitional year, forgetting that the transitional period applied only to last year, and that as regards England, the whole financial scheme is in operation this year. The President of the Local Government Board will see the point, and that Scotland is getting £57,000 less than her proper share as compared with England. There is no reason why we should be treated differently from England in regard to this matter, but seeing that we are this year to receive £57,000 less than our proper share, there seems to me to be every reason on the other side. The result is that, while England this year gets all her Licences and the Probate Duty, in the case of Scotland we are only getting the Probate Duty for the current financial year. We are not getting our licences, but in lieu of them £250,000 of grants to be voted. We thus would receive £57,000 less this year than our proper share. This is all the more reason why other items should be scrutinized. As to the £30,000 which is to be given to the Highlands being taken from Scotland no explanation has been offered.

Amendment proposed, in page 11, line 17, to leave out Sub-section 1 of Clause 19.—(Mr. Caldwell.)

Question proposed, "That the words proposed to be left out stand part of the Bill."

DR. CLARK: I think we have a right to know why Scotland is to get less for Scotch purposes than England gets for English purposes. According to this Bill we are not to get the Licence Duty till next year, and that being so, we should in common fairness get something equal to it. The Government ought to give us some reason for depriving Scotland of £57,000.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. RITCHIE,

Tower Hamlets, St. George's): I have been somewhat confused by the financial conundrum the hon. Member for St. Rollox has put before the House. I understand the reason for the hon. Gentleman's Amendment to be, that he finds fault with the distribution of the £30,000; but I would point out that that matter was very fully gone into in Committee, and that the feeling of the House was, that though it was not prepared to approve the proposal altogether as a permanent settlement, it was prepared to assent to it as a provisional arrangement. I am afraid I cannot hold out any hope of the Chancellor of the Exchequer being induced to do more than he has at present arranged to do.

*MR. CAMPBELL-BANNERMAN:

I quite agree with what the right hon. Gentleman has said as to the £30,000, and that it was generally admitted in Committee that we must accept the proposal for this year. But my hon. Friend behind me (Mr. Caldwell), with that extraordinary ingenuity which commands the admiration of all of us, has discovered this blot — namely, that Scotland is actually to receive £57,000 less than the normal sum she ought to receive; that whereas last year England was dealt with in a certain manner, Scotland is now to be put in so much worse a condition in comparison with England. The right hon. Gentleman in answering my Friend has only dealt with the £30,000; but that is merely the peg on which hangs this important question of the £57,000.

Question put, and agreed to.

Amendment proposed in page 13, line 3, to leave out sub-section 2, of Clauses 22.—*Mr. Caldwell.*

Question, "That the words proposed to be left out stand part of the Bill," put, and agreed to.

Other Amendments made.

MR. CALDWELL: The Amendment which stands in my name is an important point.

Mr. Ritchie

accounts. The Act provides that separate banking accounts shall be kept, and the result may be that while on one account there may be a large sum in hand, for which the authority will only be receiving a small amount of interest, on another account there may be a deficit on which a heavy rate of interest may have to be paid. I do not think that should be the case. Now, in the city of Glasgow there is an arrangement between the authority and its bankers that so long as there is a sufficient surplus on one account to cover a deficiency on another there shall be no claim for interest on the account which shows a deficit. It is the object of my Amendment to secure that

Amendment proposed, in page 16, line 17, to leave out all the words after the word "applicable" to end of sub-section.

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. J. P. B. ROBERTSON: I think it is quite possible to make such an arrangement with the banks, but I do not think it is possible to accept this Amendment.

Question put, and agreed to.

Other Amendments made.

DR. CLARK: The sub-section of which I have now to move the omission is one of those by which the Government propose to transfer a rate, hitherto paid by the landlord to the tenant. The Government have whittled this Bill down bit by bit. Originally we were to have the consolidated rate based on a five years' average, but that was whittled down to ten years, and since then another Amendment has been accepted, which will make the tenants responsible for a share in the consolidated rate. I hope that this is the last occasion on which we shall see a proposal made by the Government, to take away burdens from the landlords, and add them to the tenants. It is in Scotch principle,

which says that all rates ought to fall on the landlord. There is no doubt that landlords are very anxious to be relieved of their rates, and thus it is we see the Government making concessions to demands made from their own side of the House, with the object of relieving the landlords of these burdens. I, therefore, beg to move the omission of Sub-section 2 in order to secure that these rates in the future, as in the past, shall fall upon the landlord.

Amendment proposed, in page 17, line 6, to leave out Sub-section 2 of Clause 27.—(*Dr. Clark.*)

Question put, that the words "subject to the provisions hereafter contained," stand part of the Bill.

The House divided:—Ayes 201; Noes 79.—(*Div. List, No. 240.*)

Further Amendment agreed to, Clause 27, page 17, line 9, leave out "shall."—(*The Lord Advocate.*)

MR. FIRTH: I have an Amendment to propose to the latter part of Sub-section 3, which involves a point on which a great deal of doubt has been raised amongst skilled persons. I understand that an addition which has been made to this clause will have the effect of keeping the law as it is on this point. That law is laid down in Sections 94 and 95 of the Public Health Act (Scotland), 1867, under the provisions of which underground water and gas pipes are in towns and boroughs of over 10,000 inhabitants assessed to the rate at only one-fourth of their value. But in rural districts the works are assessed at their full value, and my Amendment seeks to provide that the rule as to one-fourth value shall prevail in purely rural as well as in urban districts.

Amendment proposed, in page 17, line 16, after the word "Act," to insert the words—

"Save and except that the provisions in the said Act whereby the annual value of underground water pipes and the underground works of any water company shall be held to be the nearest aggregate sum of pounds sterling to one-fourth of the annual value thereof entered on the valuation roll in certain burghs and

places, shall be held to extend to all places where such underground water pipes and works exist."—(*Mr. Firth.*)

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: I cannot accept this Amendment, and I decline to do so, because throughout the discussions we have taken up the ground that we ought not to interfere with the incidence of rates to be levied by the County Councils. I cannot enter upon the question what should be or ought to have been the incidence of rates levied under the Public Health Act, and we certainly cannot undertake to deal with the complicated question of the assessment of underground works, such as gas and water pipes.

Amendment, by leave, withdrawn.

Amendment proposed, page 17, line 27, after the word "county," to insert the words—

"(ii.) When ascertaining and determining the average rate in respect of any such branch of expenditure, the sheriff shall exclude any portion of a rate applicable to the payment of interest and repayment of principal of money borrowed in respect thereof: Provided that, until any money so borrowed shall be wholly repaid, a rate sufficient to provide for the payment of interest and repayment of principal thereof shall be payable by owners only, and shall be included in the owner's consolidated rate."—(*The Lord Advocate.*)

Question proposed, "That those words be there inserted."

DR. CLARK: This is another instance in which the Lord Advocate has given way to the demands made upon him from his own side of the House, in order to whittle down the value of the consolidated rate. The first concession was to make its basis a 10 years' average instead of five years; then he gave way on the question of the uniformity of the rate, and now he proposes to give way in order that the burden of the permanent works required to be carried on shall fall equally on landlord and tenant. This is simply giving way bit by bit, and the consolidated rate will as a result soon become a farce like the land tax. I do not think we ought to allow the Bill to be whittled

down in this way and if the Lord Advocate presses his Motion I shall vote against it.

MR. ROBERTSON: We have laid for the last two or three years contributions towards reformatories and industrial schools amounting I believe to something like £2,000. The question I wish to ask is whether this rate will be overcharged in the 11 years' average, and become a burden on the county rate accordingly? I know the rate is exceptional, but will it come within the provision of the Sheriff in settling this grant?

MR. J. P. B. ROBERTSON: I have not heard of the case before, and as it seems rather exceptional I cannot pronounce an opinion offhand. If the hon. Gentleman will allow me I will confer with him on the subject. As to the remarks of the hon. Member for Caithness (Dr. Clark), I do not think he expects me to take entirely seriously the attack made upon our motives, because if he had been in the House much during these discussions he would have observed that I have been subjected to attacks by some hon. Gentlemen behind me. The proposal that is embodied in this Amendment is not a concession of mine, but it is a proposal of mediation I ventured to introduce in Committee. I thought it fair then, and I am confirmed in my opinion by reflection. And my opinion of its fairness induces me to stand by it in reference to the subsequent Amendment to be made by the hon. Baronet the Member for Renfrewshire (Sir A. Campbell). This is a case in which there is a terminable loan, the money being paid for a number of years for one specific object. We propose that as long as the rate is imposed it shall fall on owners only as before. We propose that it shall not be treated as if it were one of the ordinary incidents of rating from year to year.

Question put, and agreed to.

SIR A. CAMPBELL: I beg to move the insertion at the end of Clause 27 of these words—

"Provided always that in ascertaining and determining the average rate, the sheriff of the

county shall not take into account any rate or portion thereof levied in respect of any capital expenditure in connection with the erection of county buildings, sheriff court buildings, county police station houses, prisons, lunatic asylums, or any other similar special expenditure of capital and interest thereon."

In moving this Amendment I beg to draw the Lord Advocate's attention to the fact that several counties have provided all the necessary buildings for the business of the counties, and at the same time paid their way. I ask him to take into consideration the money absolutely spent, although it is not borrowed money. In the County of Renfrew we have for many years imposed something like a rate of $\frac{1}{4}$ d. in the £1 for the provision of public buildings because we wished to furnish the county with all that was necessary for it. The buildings which we have erected as Sheriff Court-houses, police stations, and the like, will be used for other purposes entirely. In common fairness we ask that the Sheriff shall consider these works of capital expenditure in the same way as he is able to consider the amount of money borrowed.

Amendment proposed, in page 17, line 43, after the word "removal," to insert the words—

"Provided always, that in ascertaining and determining the average rate, the sheriff of the county shall not take into account any rate or portion thereof levied in respect of (1) any capital expenditure in connection with the erection of county buildings, sheriff court buildings, county police station houses, prisons, lunatic asylums, or any other similar special expenditure of capital and interest thereon."—
(Sir Archibald Campbell.)

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: It is very difficult to draw precise lines which shall mark the expenditure which has been falling upon owners from year to year, and the class of expenditure dealt with under the last Amendment, but I cannot help feeling that if you analyze the classes of expenditure which are here set out you will find that one year you have one kind of building, another year another kind of building,

Dr. Clark

and so on, so that if you take as long a period as you choose in order to fix a fair average you probably will have some expenditure of that kind going on every year. If that be the case I say that is the kind of expenditure we want to stereotype. If it is the case that there has been something of the kind going on every year we must treat it as one of the ordinary burdens falling upon owners and stereotype it. On the whole I think it would be safest not to accept this Amendment.

*MR. SHAW STEWART (Renfrew, E.): I feel bound to support the hon. Baronet in this Amendment. I hope the House understands that the money which has been spent on new buildings for the county is money spent on works which will be handed over to the County Council, and which will not require renewal for a very long time to come. It does seem hard that in the County of Renfrew, where we had paid our way, and had not borrowed money, but had imposed a rate in order to pay the debt off as quickly as possible—it does seem hard that this money should be stereotyped and used for other purposes than those for which it was originally intended. The hon. Member for Caithness seemed to think the Government ought only to make concessions to the Gentlemen opposite. He seemed to think the new clause just proposed by the Lord Advocate covered the case of those hon. Members who sat behind him (the Lord Advocate). That was not so; the Lord Advocate did not satisfy his supporters. We think we have very strong reason for proposing this Amendment, and we hope that even now the Lord Advocate will be able to discover some way of doing justice to the County of Renfrew.

DR. CLARK: This Amendment would whittle the thing down, and, indeed, make it nothing but a farce.

Question put, and negatived.

MR. SHIRESS WILL (Montrose): I beg to move, in Clause 28, page 18, line 4, after "every" to leave out "third." I would not trouble the House with this

matter, considering it has been before the Committee, were I not convinced that the Bill as it stands will give rise to a great deal of inconvenience and difficulty hereafter. The object the Lord Advocate has in view in proposing that the register be made up in every third year is to prevent there being elections to fill casual vacancies. Here you are electing a body to exist for three years, and if any casual vacancy occurs, by death, resignation, or what not, the proposal of the Government is that the seat of the Member going out is to be filled by the remaining Members of the Council, and not by election. Let me call the attention of the right hon. and learned Gentleman to the last pronouncement of this House upon the subject. In the case of the English County Councils, the provision I suggest should be inserted in this Bill was agreed to, and is now the law of England. Every casual vacancy in England, therefore, is filled up in the ordinary way by election. The Lord Advocate may point to precedents in Scotland, but I would remind him that no precedent can be found in Scotland for the proposal he now makes. In the case of municipal burghs casual vacancies are filled up, but only in order that at the end of the year, in November, when a third of the Council is to be elected, the vacancies can be filled up by election. The same is the case with the police burghs; and the only bodies to which the right hon. and learned Gentleman can point are the School Boards, who are dependent upon an Act which is admittedly full of anomalies and various objectionable principles contrary to the feelings and wishes of the people of Scotland. The right hon. and learned Gentleman's only pretence for this clause was that it would save expense; but the question of expense is no more of importance in Scotland in this matter than it is in England, and such an argument was not allowed to prevail last year when the English Bill was under discussion. Besides, my

Amendment will only lead to an election in the particular ward in the representation of which the vacancy occurs; and, moreover, elections are not always contested. Then upon the question of expense, I also desire to point out to the Lord Advocate that the register which it is provided here shall only be made up every third year, will practically be made up every year, for the simple reason that the register is to be made up of two things—the person making it is to take the Parliamentary register as the beginning or inception of the register, and then he is to add the supplementary register, in which will be found Peers and women. The Parliamentary register, which will form 99 parts of the register under this Act, will be made up every year, will be printed every year, and will be ready at hand. The only expense, therefore, will be the expense of making up the list of the Peers, which will probably consist of half-a-dozen names, and the list of the ladies who will be enfranchised under the Act. The Lord Advocate thought he was importing into the Bill the principle of the School Board elections, and he defended the Bill upon that ground. In the case of a School Board in one of the burghs I have the honour to represent there is a division of opinion. The majority of the Board have been pursuing a particular policy, which they believe to be in keeping with the interests of the ratepayers, and the minority have been resisting it, equally believing they are acting in accordance with the wishes of the ratepayers. The minority have resigned, and I put it to the Lord Advocate, if he thinks he is following the principle of the School Board elections, what would happen in such a case. The majority, instead of having the opportunity of appealing to the ratepayers, would have the invidious task thrown upon them of selecting men to fill the vacant places. When the right hon. and learned Gentleman used that argument he evidently forgot that in the School Board Act of 1878 rectifying the Act of 1872 this matter is dealt with. Though the burden is cast upon the remaining members of the School Board where there remains a quorum, yet if they fail to discharge their duty within a certain time it is left to the Scotch Education Board either

Mr. Shiress Will

themselves to nominate persons to fill the vacancies or to order fresh elections. I maintain that, even under the School Board Act, the Lord Advocate will find no precedent for what he is doing here, and that, therefore, my Amendment is deserving of consideration.

Amendment proposed, in page 18, line 4, after the word "every," to leave out the word "third."—(*Mr. Shiress Will.*)

Question proposed, "That the word 'third' stand part of the Bill."

MR. J. P. B. ROBERTSON: My hon. and learned Friend has shown it is possible to make a very able speech upon what is really a very small point; but after all I do not think the House will be disposed to depart from the decision it arrived at in Committee. No doubt if you desire an incessant return to the opinion of the electorate upon the occurrence of every vacancy, then it would be well to adopt the Amendment; but I imagine the general sense of the Committee was repelled from the strict application of such a principle by two practical considerations. In the first place, here is an opportunity, if we take advantage of it, of cutting away one of the too frequent elections in the case of municipal politics in Scotland. The general desire is to have elections which will best test the opinions of the people and then have done with elections for a while. The second consideration is that if the hon. and learned Gentleman's view in this Amendment prevails, it will add to the expenses of registration. You would have to keep the roll of electors active on the chance of a vacancy occurring. We were pressed most strongly to alter the registration clauses we first submitted to the House in order to avoid the expense of a fresh register every year. We yielded, and I strongly deprecate departing from the convenient arrangement which has generally been adopted in municipal affairs in Scotland.

The House divided:—Ayes 175; Noes 104.—(Div. List, No. 241.)

MR. LYELL (Orkney and Shetland): I desire to draw the attention of the

House to the serious inconvenience that may result from the insufficient publicity provided in the Bill for the list of electors. It is a serious grievance in the Highlands and in the North West that the registration law provides only for the exhibition of the lists on church doors. Now, for the most part, the population in these districts are Dissenters, and, not attending the parish church, the great bulk of them never see these lists in order to satisfy themselves that their names are properly entered on the lists the Assessor now makes out each year. I bring this question forward again all the more readily because the Government in Committee made but a very poor defence of their position—they met the grievance they did not deny with a simple *non possumus*. As a matter of fact, notices are sent out by the Assessor to the principal landowners to fill up the names of their smaller tenants who may be entitled to come on the register; and although the landlord may intend to fill the notices up quite fairly, the fact is they are most incorrectly filled up. Tenants who have died are represented by the names of their widows, although it may be notorious that the persons really in occupation, and to whom the landlord looks for his rent, is the son; and the names of numbers of deceased tenants are entered on the register, owing to the Assessor taking the evidence of the proprietor only. In Committee I was met by the analogy of the Parliamentary roll, but I do not think the reply met the case. I do not think it is a business that can fairly be thrown upon the County Council candidate to see that the list is properly made up; but I do think that it is the business of this House to provide all facilities to secure that the Assessor makes it a true and faithful list of all qualified electors. I will not say that the proprietors would wilfully make up false lists; but I do not think that an opportunity should be afforded to landlords to leave out from the register those

who may not be in political sympathy with them. An objection was urged to putting up notices at Post Offices, where I propose they should be exhibited among other places supported by public money, but I do not know on what grounds. I do not know a more suitable place to secure publicity. The Post Office is a place of general resort—everybody goes there, either for postal purposes or for buying; for the Post Office is the general supply stores usually in sparsely-populated districts. Certainly these lists would be more interesting than many of the notices exhibited at the Post Office, such as the rates of Post Office orders to Roumania or the parcel post to Brazil, and other matters which concern nobody who reads them. It is a matter of great importance in Scotland. My Amendment meets part of the serious defect in this matter, and I hope the Government will on this occasion meet it fairly.

Amendment proposed, in page 21, at the end of Clause 28, to add the words—

“In addition to any publication of the list of voters at present by Law required, the assessor of every county, or division of a county, shall, on or before the fifteenth day of September in each year of the making of such list, publish copies of the said list by affixing the same in some public and conspicuous position in or near every post office and telegraph office, and in or near every public, municipal, and parochial office and public school within such district, and the same shall continue so affixed for a period including two consecutive Sundays at the least next after the day of publication, and, if removed or defaced within such period, shall be replaced by the assessor.”—(*Mr. Lyell*.)

Question proposed, “That those words be there inserted.”

MR. J. P. B. ROBERTSON: It is very probable that the existing arrangements for the posting of electoral lists might be considerably improved, but the proposal of the hon. Gentleman is open to very serious objection. In the first place, it is not in itself a part of the electoral law to be taken into account in connection with these County Council lists, and not in connection with the Parliamentary register. We should have the County Council lists, which certainly are not of greater importance than the Parliamentary lists, given this vigorous and prominent advertisement,

read this Bill a third time. It has passed through all its stages in this House, and I think the noble Lord has advanced no argument why it should be rejected upon this occasion.

On Question whether the word "now" shall stand part of the Motion, resolved in the affirmative: Bill read 3^d accordingly, with the Amendments, and passed and sent to the Commons.

ADVERTISEMENT RATING BILL.

(No. 163.)

Read 3^d (according to order), with the Amendments, and passed, and sent to the Commons.

COUNTY COURT APPEALS (IRELAND)

BILL. (No. 104.)

Order of the Day for the House to be again in Committee (on Re-commitment), read.

THE EARL OF KIMBERLEY: As my noble and learned Friend (Lord Herschell) is engaged in another part of the building he has requested me to ask that the Committee stage of this Bill may be postponed until Thursday.

Order discharged: House to be again in Committee (on Re-commitment) on Thursday next.

MASTER AND SERVANT BILL. (No. 111.)

THIRD READING.

Order of the Day for the Third Reading read.

Moved, "That the Bill be now read 3^d."—(*The Earl of Kimberley*.)

LORD BRABOURNE: My Lords, I do not object to the Third Reading, but I would call your Lordships' attention to a circumstance which illustrates the importance of the Motion which, as I stated just now, I intend to move next Session, and the great inconvenience of the Standing Committees being allowed to meet during the Sittings of your Lordships' House. A noble and learned Lord who is in charge of two Bills is engaged at this moment before the Standing Committee for Bills relating to Law, and the result is that one of these Bills has to be postponed, and the other to be taken up by another noble Lord.

Bill read 3^d (according to Order) and passed.

Earl Cadogan

DEBATES IN PARLIAMENT—"HANSARD'S PARLIAMENTARY DEBATES."

EARL CADOGAN: My Lords, it is about a year ago since I laid on the Table of the House the Report of a Joint Committee of both Houses of Parliament, which was appointed to consider the question of the reporting in Parliament. The occasion of the appointment of the Committee last year was that the contract under which Mr. Hansard had for many years reported the Debates in both Houses of Parliament came to an end at the expiration of the year 1888, and it was necessary that fresh arrangements should be made in order to secure adequate reports of the proceedings of the two Houses. The main questions which the Committee had under their consideration were, the length at which the Debates should be reported and the manner in which they should be printed and circulated. Upon those questions the Committee reported, and their recommendations have so far been carried out that a new contract has been signed with another firm, to produce reports of Parliamentary Debates in the same form as that in which they were formally issued by Mr. Hansard, and under the name of *Hansard*, although produced by other persons. It is not my intention to allude to those portions of the Report this evening. My Motion refers chiefly to a point which came incidentally before the Committee in that inquiry—namely, the difficulty under which the reporters labour in taking notes of the proceedings of this House owing to the deficient acoustic properties of the House, a deficiency which to a more limited extent exists in the House of Commons also. I do not think it is necessary that I should read to the House any of the evidence which we had before us bearing upon that subject; but I may say that we had evidence, especially from my noble and learned Friend on the Woolsack and other noble Peers, that they were aware of the impossibility of properly reporting speeches from the gallery in which the reporters are now placed, and they all recommended that some change should be made. Another Committee, of which my noble Friend, Lord Beauchamp, was Chairman, sat upon this subject in 1880, and they recommended various changes in the allocation

tion of seats for the reporters, to all of which there appeared to be some objection. Experiments were tried, and I believe it was suggested that the gallery should be lengthened, then that it should be widened, and a third suggestion was that the reporters should be seated between the Peers in the centre of the House. But to each of these suggestions there appeared to be some objection, and at the end of the Report I find the following paragraph:—

“It is necessary that a report, such as suggested, to be efficient, must be made by a shorthand writer not far removed from the speaker. The Committee have considered the most suitable position in which to place Mr. Hansard's reporter, and are of opinion that a small movable table might be placed in the body of the House.”

My Lords, I think there are now still stronger reasons than in 1880 why we should take some steps to provide the representatives of *Hansard's Debates* with a suitable position for the purposes of their work in the House. In accordance with the recommendations made by the Committee of last year, we have enforced more stringent conditions as to the production of these reports. The firm who have undertaken the work are now required to report not only discussions on Second Readings and other stages, which it had been usual to report, but also to give complete and accurate reports of the discussions in Committee; and it is quite obvious that if we require more to be done by the reporters who take the notes of our proceedings we must give ampler facilities than they have been accustomed to hitherto. I am bound to say, and I think that noble Lords on both sides of the House will agree, that, considering the difficulties under which reporters have laboured in this House for many years, the only wonder is that the reports have been as full and as accurate as they have been since the House was built. At the same time, there is a great deal left to be desired; and I believe that on consideration your Lordships will see that there is no alternative but to provide a seat for the *Hansard* reporter at or near the Table of the House, and in the body of the House. My Motion is worded so as to leave some latitude to the Black Rod Committee as to the position which the reporter's table should occupy. I do not say that the reporter should be placed at the table,

or near the table; but in my Motion I merely use the words “within the precincts of the House.” If your Lordships will refer back to the Report of the Committee presided over by my noble Friend, you will see that a map was then supplied showing two positions in which a reporter might sit on the floor of the House. I know that there are some objections to a reporter being present in the midst of us. It has been said that reports would be taken too literally and too much *verbatim*. Again, I may, perhaps, refer to the recommendation of the Committee, in which we pointed out that, in our opinion, reports should not be taken *verbatim*; and it is quite obvious that if every word which fell from every noble Lord were reported a great deal of editing would be required, and difficulties would occur which would be almost as great as those which we have to face now. As regards the question of the desirability of admitting a reporter into the body of the House, I have made inquiries as to the practice in other countries. In America, in each House, the reporter is seated in front of the desk of the Chief Clerk. In Germany, in both Houses, the reporter is seated in the House near the President's Chair. In France, the reporter is seated at the foot of the Tribune, and the same is the case in Belgium. Therefore, it would not appear that any practical inconvenience has been found in other Legislative Chambers to arise from the presence of reporters in the body of the House; and I can only express the hope that some means will now be found for securing an end which, I believe, is highly to be desired. I was moved to bring this matter before your Lordships by an occurrence which took place in this House a few days ago. A Motion was made upon the subject of a report in *Hansard* in reference to a Debate, to which I need not more particularly allude. In the course of that Debate a letter was received by the Marquess of Lothian from the representative of *Hansard*. I moved that that letter should be printed and circulated to your Lordships, and from which, perhaps, the House will allow me to read a few lines. Mr. Walpole says:—

“I am afraid that satisfactory reporting will never be done from the gallery of the House of Lords. What is required is (as I believe

the Marquess of Salisbury has himself pointed out) to have a shorthand writer at the Clerk's Table. The great objection to such a proposal hitherto has been that it has been said to be necessary to have frequent changes of reporters, and one can well understand how inconvenient—in fact, utterly impracticable—is any scheme which involves the constant passage of strangers along the floor during the progress of debate. The proposition of the present contractors—and I am only anxious for some convenient opportunity of placing it before the House—is that their note-taker should take his seat at the Clerk's Table at the commencement of each sitting, and be relieved at the expiration of four hours. This means that only on two or three occasions during each Session would there be the passage of a stranger along the floor, because the sittings of the House rarely exceed three hours."

Therefore, my Lords, one of the objections which I believe was advanced in the year 1880—namely, the inconvenience of the passage of reporters to and fro—is practically obviated under the present proposal. Then, my Lords, it will be in your recollection that on a recent occasion Lord Wemyss read to the House a letter from a distinguished Member of your Lordships' House, Lord Grimthorpe, in which Lord Grimthorpe said that he would have been very glad to be present to take part in the Debate, but it would be of very little use his coming down, because if he did he would not be properly reported. Now, if that is really the case, and if, under the present circumstances, it is difficult, if not utterly impossible, to report in this House, I think your Lordships will agree that it is high time that some action were taken in the matter. My noble Friend's Committee reported in 1880, and after the expiration of nine years, and more than one Debate having taken place on the subject, nothing at all has been done, and we remain under the disability under which we have laboured for so long. I venture, therefore, to make the Motion of which I have given notice, and I may perhaps be allowed to recommend it to your Lordships on the ground that, at all events, the change might be tried even temporarily. It is not necessary that we should commit ourselves for ever to the presence of a reporter in this House. If it is not agreeable to your Lordships, or if it is found inconvenient in any way, the arrangement can be put an end to at any time. I do not think I need say anything more upon the subject. If your Lordships are good enough to pass

Earl

the Motion of which I have given notice, I shall propose that the details of the plan should be left to be settled by the Black Rod Committee, and the time at which the new arrangement should be carried out should be left also to that Committee.

Moved, "That the Black Rod Committee be instructed to provide accommodation for the representative of *Hansard's Debates* within the precincts of the House of Lords."—(The Lord Privy Seal, *Earl Cadogan*.)

*LORD DENMAN said, the noble Earl had not condescended to call him as a witness before the Joint Committee. Only twice during the last 35 years had he been fairly reported, and he was very glad not to have been reported. The Motion proposed a reference to the Black Rod Committee; but, in his opinion, Black Rod had the power to allot a place to anyone who desired to report. It was desirable that the truth should be known by the public, and he suggested that the evidence of Mr. H. W. Lucy, who wrote a description of that House in 1885, must be received as authentic. That gentleman wrote upon the acoustics of the House of Lords, and said that whenever any noble Lord was worthy to be reported he always was reported. Noble Lords could send up their speeches if they liked, and they could also if they liked make themselves heard. The article he had just referred to appeared in the Christmas number of the *English Illustrated Magazine* for 1885. He bought up all the copies of it, because he thought the article was calculated to bring discredit upon their Lordships' House. The *Times* charged 25s. a year for the reports of speeches, and he supposed that those noble Lords who subscribed were well reported. The experiment had been tried of placing the reporters in the Peeress's Galleries, but it had not been found satisfactory. After all, perhaps it was well that certain conversations which occurred in that House should not be reported. He had on one or two occasions struck out from the proof sent him observations which he had certainly made, but which, after consideration, he considered were unworthy of a permanent record. Mr. Hansard had expressed the opinion that all the speeches should be recorded, whether the speakers liked it or not. He quite dissented from that

view, holding that noble Lords had the copyright in their speeches. He did not oppose the placing of the *Hansard* reporter in a suitable position; but he considered that Black Rod himself had the power to make the necessary arrangements, and if that view were correct the present Motion was unnecessary.

*EARL BEAUCHAMP: Perhaps your Lordships will allow me to say a few words upon this subject, as my noble Friend has referred to the Committee of which I was Chairman some nine years ago. I think that all the arguments for a change in the method of reporting in this House are based upon the assumption that there is a difficulty, if not an impossibility, in reporting under the present conditions, and certainly that was represented very strongly to us in the Committee which sat in the year 1880. But this year a new system has been inaugurated in the publication of *Hansard's Debates*, and I now think that the difficulty and impossibility have been very much exaggerated, because the reports this year have certainly been of a very much higher and more accurate character than any reports that have been given us before. The change is very marked indeed, and certainly disposes of the allegation that there is any particular difficulty or impossibility in reporting speeches made by your Lordships. The imperfect and inaccurate reports which are made are due to other causes, which I need not specify in detail. Many matters of public interest are discussed not only in Parliament, but also out of Parliament, and the space formerly allotted to Debates in Parliament is very much curtailed as compared with that which used to be allotted in former times. I do not think we must entirely ignore that circumstance; but it is a mistake to suppose that there is any inherent difficulty or impossibility in reporting the Debates in this House. As the matter is proposed to be referred to the Committee of the Black Rod, I will not pronounce any opinion upon the subject itself, though I think there are objections of a serious character to the propriety of importing a reporter on to the floor of the House. That is an arrangement which ought not to be agreed to unless your Lordships are satisfied that there

is no other way of obtaining what is desired. I remember, in the Committee of 1880, evidence was given to us that one of the most convenient places for hearing all that went on was in the very large ventilating chamber which exists below your Lordships' feet. There is a very large chamber below us, used partly for the purpose of ventilation, and, although I have not myself had the opportunity of listening to a Debate from that quarter, I believe you can hear very distinctly all that goes on. A reporter would not hear those who are immediately above him, but he hears the speeches that are delivered in other parts of the House; and, considering the space that exists below, I do not see why the reporter should not change his place from time to time, if necessary, according to the position of the speaker. I think that that experiment should be tried before we consent to the presence of a reporter on the floor of the House. There is one suggestion which I may venture to throw out—I am not quite certain whether it formed a part of the recommendations of the Committee of the year 1880, but I think it did—that the position of the Lord Chancellor and of the Woolsack should be changed during your Lordships' Debates. Though we address the whole House, and not the Lord Chancellor, who is the Speaker of this House, still there is a practice which prevails of turning either to the Lord Chancellor or to the Throne; and the result of that is that anyone who so turns his back to the Reporters' Gallery does no doubt increase the difficulties under which the reporters labour. I certainly thought at the time the Committee were investigating the matter that it would be quite worth while to try the experiment of placing the Woolsack at the Bar, so that everybody would be heard distinctly when speaking in that direction, rather than in the opposite way, and I think the difficulties which the reporters experience would be mitigated if that expedient were adopted. And I do not think there is any serious difficulty in the arrangement. The Cross Benches could be placed where the Woolsack now is; and your Lordships must remember that when judicial business is carried on in the earlier part of the day there is always a very considerable shifting of furniture, and any re-arrangement that might be

necessitated by the suggestion I am now referring to could be easily made. Of course, when there is a Royal Commission, and when the House of Commons is summoned to attend your Lordships, seats are placed in front of the Throne upon which the Lords Commissioners sit, and that arrangement, I apprehend, must be strictly adhered to; but for our ordinary business I cannot help thinking that it would be advisable to try the experiment. As the noble Earl the Lord Privy Seal said, we are not pledging ourselves to any proposal for all time; whatever scheme we choose to try can be put an end to if it be found inconvenient; and I certainly think that during the remainder of this Session we might try the experiment of placing the Woolsack at the front of the Bar. In that way the reporters would hear more clearly than they do now, if there really is any obstacle to the efficient reporting of your Lordships' debates; but I must say that my desire for change has been very much diminished by the experience which we have had during the present Session, if I may judge from the reports in *Hansard's Debates* which have been submitted for my revision. As the noble Lord appealed to me, and to the Committee over which I had the honour to preside, I have thought it right to explain why I do not entertain so strong a view upon the subject of reporting as I did when that Committee made its Report.

*THE EARL OF MORLEY: As a member of the Black Rod Committee, I may be permitted to say a few words upon the Motion of my noble Friend opposite. I confess that the prospect of a *verbatim* report of speeches adds a new terror to those which already exist in addressing your Lordships; but, still, if *verbatim* reports are required, I venture to think that the suggestion made in the Motion now before your Lordships is one which we should do well to adopt. The suggestion of the noble Earl (Earl Beauchamp), with regard to the mysterious chamber underneath the House, had already struck me, but I am informed that there is this grave objection to it—that the most important speeches are (obviously) delivered from the two Front Benches, and noble Lords who speak from those Benches speak from the Table, and would, consequently, be very imperfectly heard from

Earl Beauchamp

the Chamber beneath the House. Therefore, I do not think that the suggestion of the noble Earl would work satisfactorily. It seems to me, also, that there are great objections to the removal of the Woolsack to the Bar of the House, objections that I confess I do not see any way of getting over. If an experiment is to be tried, surely the most simple experiment would be to place, for a longer or shorter time, according as the House may think fit, a reporter's table immediately behind the seats of the Clerks at the Table. I believe that by pushing back the last three Benches so that the last may touch the Bar, ample space would be afforded for such accommodation. As the noble Lord suggests that the question should be referred to the Black Rod Committee, I will not trouble your Lordships with any further remarks on the subject, except to support the Motion that is before the House.

THE DUKE OF ARGYLL: My Lords, I do not believe there is any difficulty whatever in reporting the speeches in your Lordships' House. In my opinion, the acoustic properties of this House are admirable. My own impression is that they are only too good. I have been present at the judicial sittings of your Lordships, and have remarked that counsel at the Bar, speaking in the gentlest tones of voice, were clearly heard all over the House. The truth is that every Member of this House who is listened to by his Peers is invariably well heard in the gallery, and admirably reported, if the editors of the papers wish to have the reports. I am sure your Lordships will agree that we owe very much to the reporters. Whenever Ministers make important declarations or announcements, or other Members of the House speak to whom great weight attaches, the speeches are reported *verbatim* if the editors wish it. When a Peer is not reported it has nothing to do with the reporters; it rests with the editors of the papers. The real truth is that the forum of public discussion on political matters has been to a large extent widened. It is no longer the forum of Parliament alone, or principally; it is the forum of the Press, of public meetings, even of addresses at railway stations. I support the proposition of my noble Friend, because I think it is expedient that your Lordships should.

have an authorized report of the speeches made in this House, even if they are never reported in the Press at all.

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): I venture entirely to take exception to the view of my noble Friend that there is no fault to be found with the acoustic properties of this House, or with the reports of the speeches of your Lordships. It is my fate occasionally to address audiences in other places where the reporters are seated close to me, and I have hardly ever had any reason to complain that my meaning has not been ascertained. But in this House the contrary is the case. It is not as though we were complaining, as my noble Friend seems to think, of our speeches being abridged. I have no doubt that many speeches are abridged; but it is that the meaning is often entirely inverted, or nonsense is substituted for sense. And that is no fault of the reporters in the Gallery. I believe that they do their work admirably; but the conditions under which we place them are such that it is impossible for them to do their work properly. My noble Friend who has just sat down says that he is always accurately reported. But I submit that my noble Friend is really no judge in this matter, because he is blessed with such an organ that if the reporters were placed on Westminster Bridge he would be properly reported. This is not a matter merely of individual self-complacency, where a man is discontented because his speech is not properly reported. You must remember that speeches made in Parliament are part of the documentary evidence and proceedings of the present day; and that Ministers are not only held to what they say, as deliberate statements on their part, but in every part of the world Governments and Statesmen act on the assumption that what a Minister says is accurately reported. I remember three or four cases where very grave misapprehension has been caused by a misreport of what Ministers said at this Table. I remember when the noble Earl opposite was Foreign Secretary he made some statement about Shere Ali, and exactly the reverse of what he said was telegraphed to India. Lord Northbrook telegraphed back in the greatest possible alarm:

Shere Ali received the mutilated report, and it had a very serious effect. I remember another case—some 10 years ago—in which the question was whether one Power would follow the recommendations of two other Powers, England being one of them. That Power would only follow those recommendations if the two Powers were unanimous. A statement was made in this House, and it was reported in exactly the opposite sense. The second Power, thinking that she had been abandoned by her ally, gave way, and the third Power no longer felt herself bound to follow the plan which she had engaged to follow at the wish of the other two Powers. That was a very serious matter, because, on the faith of reports of speeches made in this House, and which could not afterwards be corrected, pledges were given which could not be retracted. That is an instance of the sort of inconvenience which may arise from deficient reporting. I remember also a very absurd case last year where Lord Rosebery and I were made to hold the most impossible conversation with regard to the proceedings of Sir H. Drummond Wolff, neither of us having said one word attributed to us. I remember in the Debates we used to have on the Afghan question I was very roughly used for something I was supposed to have said in a speech with reference to Shere Ali. What really happened was that my speech was entirely and utterly misreported, and when it came to me for correction I was abroad, and I had no means of remembering accurately what I had said. The result was that observations were printed which I had never made. I do not think, my Lords, that you have a right to inflict a disability of this kind upon those concerned. If you attach the importance that you do attach to speeches that are made in Parliament, you are bound to take every reasonable means of having those speeches accurately reported. And remember that this is a matter which concerns this House rather seriously. Owing to many causes, partly perhaps to the extreme labour in the other House of Parliament, it has happened that those Departments which have to do with Foreign and Colonial and Indian affairs are more often than not represented in this House, and therefore it becomes a matter of considerable public importance that the

EARL CADOGAN: In reference to the remarks of my noble and learned Friend on the Woolsack, I may point out that my suggestion was to seat the reporter at or near the Table. I think it was my noble Friend Earl Beauchamp who made the suggestion with reference to the change of the position of the Woolsack, and personally I trust it will not be adopted.

On Question, agreed to.

MARKETS AND FAIRS (WEIGHING OF CATTLE) ACT, 1887.

Return (1) of all market authorities in England and Wales included in Parliamentary Paper, No. 221., of Session I., 1886, who have machines for weighing cattle under the 50th and 51st Victoria, chap. 27.; (2) of the authorities whose markets and fairs have been exempted from the provisions of that Act by orders of the Local Government Board, and the periods for which exemption has been granted; and (3) of the authorities who have no machines for weighing cattle under the Act: Ordered to be laid before the House.—(*The Earl of Camperdown.*)

SMALL DEBTS (SCOTLAND) BILL.

(No. 16.)

Reported from the Standing Committee for Bills relating to Law, &c., with Amendments: the Report thereof received; Bill re-committed to a Committee of the Whole House on Thursday next; and to be printed as amended. (No. 177.)

INTERPRETATION BILL. (No. 92.)

Reported from the Standing Committee for Bills relating to Law, &c., with Amendments: the Report thereof received; Bill re-committed to a Committee of the Whole House on Friday next; and to be printed as amended. (No. 178.)

REFORMATORY SCHOOLS BILL.

(No. 56.)

Order of the 11th of April last, committing the Bill to the Standing Committee for Bills relating to Law, &c., discharged; and Bill (by leave of the House) withdrawn.

House adjourned at half past Five o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 23rd July, 1889.

PRIVATE BUSINESS.

METROPOLITAN ELECTRIC SUPPLY BILL.

Ordered, That in the case of the Metropolitan Electric Supply Bill, Standing Orders 84, 214, 215, and 239 be suspended, and that the Bill be now taken into consideration, provided amended prints shall have been previously deposited.

Bill considered.

Motion made, and Question proposed, "That Standing Orders 223 and 243 be suspended, and that the Bill be now read the third time."—(*Mr. Herbert Gardner.*)

MR. BAUMANN (Camberwell, Peckham): At a former stage of the Bill I abandoned opposition to it, on the understanding that there should be ample opportunity of considering the Bill as amended. But the reprinted Bill has only been deposited this morning, and there has been no time for Members to read it or to study the Amendments which have been made in it. Considering that the Bill relates to the supply of the electric light for 50 years, and that consumers had no *locus standi* before the Committee, it seems unreasonable that the Bill should be rushed through the House in this manner. The Bill as first printed contained some very objectionable clauses, and it will be my duty to oppose it unless an assurance can be given that they have been removed.

THE PRESIDENT OF THE BOARD OF TRADE (SIR M. HICKS BEACH, Bristol, W.): I am able to give the assurance the hon. Member desires. The Amendments have been made by the Select Committee and the Bill is now absolutely identical with other Provisional Order Bills.

SIR G. CAMPBELL (Kirkcaldy): I also feel it my duty to protest of the rapid way which has been adopted of disposing of important Bills of this character without giving hon. Members

an opportunity of considering them or of putting down amendments.

Question put, and agreed to.

Motion made, and Question proposed.
"That the Bill be now read a third time."

MR. BAUMANN: When we reach Clause 25, I propose to move an amendment to substitute two years for three years as the period for which consumers shall be bound in unscheduled streets.

*MR. SPEAKER: It is now too late to move the Amendment.

SIR M. HICKS BEACH: My hon. Friend can raise the question on the other Bills when he has had an opportunity of seeing them.

*MR. SPEAKER: On the question that the Bill be read a third time, the hon. Member can move the rejection of the Bill but not to amend it.

MR. BAUMANN: I would humbly submit that we have not yet had an opportunity of considering the Bill as amended. I may be mistaken, but I thought the clauses, as amended, would have to be gone through.

*MR. SPEAKER: The Bill, as amended has been considered, and the Question now before the House is, that the Bill be read a third time. If the hon. Member wishes to oppose that Motion he can do so.

MR. BAUMANN: I thought the Question was that the Bill be now taken into consideration.

*MR. SPEAKER: No; that has already been done.

MR. BAUMANN: Then I can only say that I am very sorry that I allowed the stage to pass. I will move my Amendment on the other Bills.

Question put, and agreed to.

Bill read the third time, and passed.

PROVISIONAL ORDERS BILL.

—o—

ELECTRIC LIGHTING PROVISIONAL ORDERS (No. 2) BILL.

Bill considered.

Clause (Reservation of right of person to supply his own and premises.)—()
up, and read the

Sir George

Motion made, and Question proposed.
"That the Clause be read a second time."

*MR. BARTLEY (Islington, N.): Of course no one has a right without an Act of Parliament to cross a road or to take up the streets; but if one or two houses choose to combine to supply themselves with the electric light and set up an engine. I do not see why they should not have power to do so.

SIR M. HICKS BEACH: I have looked into the matter, and there is no doubt whatever that the provisions of the Bill will in no way interfere with or take away the rights of individuals which the hon. Member refers to. It will be competent to any person to supply his own or his neighbours' premises with the electric light so long as he does not break up or cross the public street. Still, the insertion in this Bill of the proposed clause might be held to prejudice the rights of gas and water companies in the Metropolis, and I therefore hope that it will not be passed.

*MR. BARTLEY: On that assurance I will withdraw the clause.

Motion and Clause, by leave, withdrawn.

MR. BAUMANN: I now propose to move in Clause 24 to leave out the word "three" and insert "two." I move the Amendment rather with the idea of ascertaining what may be the feeling of other metropolitan Members, because the metropolitan Members are the only representatives whom the general public have in the matter. I may remind the House that all the consumers will not live in scheduled streets. The districts proposed to be supplied are not very numerous, and consist principally of the large streets and squares of London.

SIR M. HICKS BEACH: I will accept the Amendment.

MR. BAUMANN: The right hon. Gentleman has cut short my remarks in the most agreeable manner by accepting the Amendment. I will only add that the object of the Amendment is to reduce from three to two years the period for which consumers are to be bound in scheduled streets. By guaranteeing

"two years the under-
cent upon their

Amendment moved, Clause 24, line 34, to leave out "three" and insert "two."

Question, "That 'three' stand part of the Clause," put, and negatived.

Question, "That 'two' be there inserted," put, and agreed to.

MR. BAUMANN: I may remind the President of the Board of Trade that the adoption of this Amendment will involve a great many other Amendments.

SIR M. HICKS BEACH: I will undertake that the Bill shall be amended so as to carry out the understanding which has been arrived at.

Bill read the third time, and passed.

YORKSHIRE PROVIDENT INSURANCE COMPANY.

MR. BRADLAUGH (Northampton): I wish to draw your attention, Sir, to the Orders of the Day. The order for the consideration of the Report of the Select Committee stands No. 8 upon the Orders of the Day, but it had been ordered as a matter of privilege to stand as the first Order, and it did so stand in the Orders of the Day for Monday. I wish to ask whether it ought not to be the first Order now; and, if so, whether it cannot be considered before the other Orders?

*MR. SPEAKER: I am at a loss to know why the same course has not been pursued to-day that was followed on Monday, that is, placing the Order first on the list of Orders of the Day. As to the point of order, there are several instances in which Orders of the Day and Notices lower down on the List than others have been taken first on the ground of privilege; and, following those precedents, I shall now allow this Order to be taken first as a question of privilege.

QUESTIONS.

SCIENCE AND ART SCHOLARSHIPS.

MR. SAMUELSON (Gloucester, Forest of Dean): I beg to ask the Vice President of the Committee of Council on Education if, as one of the Royal Commissioners for the Exhibition of 1851, he is aware whether the

character and scope of the various science and art scholarships, local exhibitions, free studentships, national scholarships, &c., administered through the Science and Art Department with State aid, in response to local demand, were considered by the Commissioners of the Exhibition of 1851 when they decided to sell a part of their Kensington Estate in order to raise funds for establishing science and art scholarships; whether the Commissioners had before them the various forms of State aid supplied through the Science and Art Departments to various local institutions when they determined to offer grants in aid of local institutions; what amount of aid in respect of science and art scholarships and grants to local institutions the Commissioners intend to give; and what are to be the conditions for the administration of such aid?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. MATTHEWS, Birmingham, E.): I am informed by the Secretary that the Commissioners met this day (Tuesday, 23rd) and agreed upon a Report to Her Majesty, which will be duly communicated to Parliament. At present the Government have no information in regard to the action of the Royal Commissioners referred to in the question of the hon. Member.

SUBSIDENCE OF MAIN ROADS AT NORTHWICH.

MR. BRUNNER (Cheshire, Northwich): I beg to ask the President of the Local Government Board whether he has been informed that a further serious and alarming subsidence of one of the main roads out of the town of Northwich took place on the night of Wednesday last; whether he is aware that practically the whole of the great damage to property caused by the pumping of brine in Cheshire and Worcestershire is the work of two wealthy and prosperous corporations—namely, the Salt Union and Brunner, Mond, and Co., and yet that it is impossible to ascertain which of them causes any particular subsidence, and that therefore property owners and Local Authorities have no means of redress; whether he is aware that the same danger threatens the towns of Fleetwood, Barrow-in-Furness, Middlesbrough, and West Hartlepool, and that if the danger be there more remote, the

books of the Valuation Office, in the area column, as containing 375a. 1r. 11p., held jointly, whereas in the valuation column each tenant is separately valued for the land contained in his holding; and, if so, whether he can state on what principle the separate valuation has been assessed?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): The Commissioner of Valuation reports that when the valuation of the district was made in 1856 there were no defined boundaries of the holdings in the townland of Kilmacrichard, consequently the valuation for rating purposes was made *in globo* at £78, and this sum was divided amongst the tenants in proportion to their respective interests therein as then ascertained, and each tenant's proportion of the valuation is separately set out in the land column. He adds that this is the course adopted in all such cases.

MR. MAHONY: Is there not an annual revision of the valuation? Do not the revisers go down every year to each district?

MR. A. J. BALFOUR: I am not aware that it is the fact; but if the hon. Gentleman will put a question on the Paper I will make inquiry.

THE FENIT PIER.

MR. MAHONY: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he will undertake to have the Papers recently ordered to be printed in relation to the Fenit Pier and the Kerry Grand Jury in the hands of Members before the Vote for the Irish Board of Works is taken in Supply?

MR. A. J. BALFOUR: The Papers referred to which were recently ordered to be laid upon the Table have been this day forwarded for presentation. Upon the hon. Member obtaining an Order from the House to have them printed, it will no doubt be carried out by the responsible officer without delay.

MR. MAHONY: May I ask the right hon. Gentleman whether he is aware that in the instructions issued by the Lord Lieutenant to the cesspayers of the baronies connected with the Fenit Pier Loan, and on faith of which the cesspayers gave a guarantee for £95,000, the following passage occurs:—

"No portion of it (the loan) can be expended on the present canal, or in payment of the

Mr. Mahony

balance of the canal debt due to the Public Works Loan Commissioners, or of the instalments of the present loan";

but that, in spite of this passage in the instructions, £2,500 was paid to the National Bank in discharge of a debt due by the canal, £300 and £290 were paid to the Public Works Loan Commissioners in discharge of the debt due by the canal, and £3,192 11s. 4d. was paid to the Irish Board of Works in discharge of the instalments on the Fenit Pier Loan referred to in the Lord Lieutenant's instructions as the present loan; whether interest has to be paid and capital repaid by the taxpayers as regards these sums, although these sums were paid by the Fenit Harbour Commissioners in direct contravention of the Lord Lieutenant's instructions, on the faith of which the taxpayers gave their guarantee; and, whether, if these facts be as stated, he will take steps to enforce the instructions of the Lord Lieutenant?

MR. A. J. BALFOUR: I am sorry to say that I have not been able to make myself fully acquainted with the facts of the case. Some days must elapse before I can be in a position to answer the question.

MR. MAHONY: Cannot the right hon. Gentleman give me any idea whatever as to whether these instructions were issued by the Lord Lieutenant, and whether or not they have been carried out? I wish to know whether, in the event of a similar undertaking being given, it will be similarly broken?

MR. A. J. BALFOUR: I do not think there has been anything of the kind.

MR. MAHONY: I put the same question to the First Lord of the Treasury, and the answer I got was that the Treasury, who are responsible for the action of the Board of Works, only cared for the security.

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I answered that question, and I should not like it to go forth that that is the purport of the answer.

THE STAMP DUTY.

MR. STAVELEY HILL (Stafford, Kingswinford): I beg to ask the Chancellor of the Exchequer whether it is intended, by Clause 15 of the Revenue Bill, to abolish the sixpenny Stamp Duty now payable on a contract for the pur-

chase of land, and to substitute for such stamp an ad valorem Duty upon such contracts?

MR. GOSCHEN: I have asked my hon. and learned Friend the Attorney General to answer the question if my hon. Friend will repeat it later on.

THE YEOMANRY AND VOLUNTEERS.

SIR WALTER FOSTER (Derby, Ilkeston): I beg to ask the Secretary of State for War whether members of Yeomanry Cavalry Corps, when up for annual training, and members of Rifle Volunteer Corps, when in camp, are supposed to be subject to Military discipline in having to ask leave of the Officers commanding before returning to their homes for a night?

*MR. E. STANHOPE: Members of Yeomanry Corps, when up for annual training, are under the Army Act, and subject to Military Law as soldiers. Members of Rifle Volunteer Corps in regimental camps are not under the Army Act, but are under discipline under the Volunteer Act, and cannot quit their duties without first obtaining leave from their commanding officer.

DEFECTIVE BAYONETS.

LORD HENRY BRUCE (Wilts, Chippenham): I beg to ask the Secretary of State for War whether the published statement is correct, that 60 per cent of the bayonets of the Inniskilling Fusiliers, when tested by experts, were condemned, as totally unfit for use; and, if he would consider the expediency, after the experiences of the Egyptian Campaigns, of having the whole of the bayonets belonging to the Regular and Auxiliary Forces thoroughly tested?

*MR. E. STANHOPE: The Inniskilling Fusiliers have just returned from service abroad, and as usual their arms have been thoroughly overhauled; 25 per cent of the bayonets failed under the tests recently prescribed; and about 30 per cent were condemned for being too small at the point, or otherwise imperfect. The arms of all Regular Forces at home are thoroughly tested every year, and those of the Auxiliary Forces in regular succession.

GOVERNMENT GAS STOKERS.

MR. CUNINGHAME GRAHAM (Lanark, N.W.): I beg to ask the Secretary of State for War if he can

now inform the House as to the result of his inquiries as to the number of hours worked by the gas stokers employed by the various Gas Companies of London; If it is a fact, as has been asserted by the *Labour Elector* newspaper of 13th July, that, at the following gas factories—namely, East and West Greenwich, Bankside, Kent Road, Rotherhithe, Vauxhall, Fulham, King's Cross, Shoreditch, Bromley, Kensal Green, Nine Elms, Beckton, Bow Common, and Lower Sydenham, the hours have been reduced to eight per day; and, whether he will now take steps to remove the discontent of the Government gas stokers, and avoid possible strikes, by reducing their hours of labour in a like degree?

*MR. E. STANHOPE: The inquiries are not yet completed, and I am not prepared to accept or reject the newspaper statement which the hon. Member has quoted. I know of no discontent or dissatisfaction, I am glad to say, among the Government gas stokers, and they are aware that their case is being inquired into.

POLICE SIGNALLING BY ELECTRICITY.

SIR ALBERT ROLLIT (Islington, S.): I beg to ask the Secretary of State for the Home Department whether, having regard to the satisfactory results of the electric police signal system which has been in operation in Islington, the Government propose to take steps with a view to its general adoption?

MR. MATTHEWS: The question of the adoption of this system is now under my consideration. I am making inquiries as to the probable cost of any practicable scheme. Until this is ascertained I cannot say definitely whether the system is one that can be used with advantage either generally throughout the Metropolis or in particular districts.

IRISH PRISONERS.

MR. JOHNSTON (Belfast, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will state the names of the prisoners at present confined, under the Criminal Law and Procedure (Ireland) Act, in Derry Gaol; and specify the religious denomination of each, respectively?

MR. A. J. BALFOUR: In consequence of the observations which were

Mr. CALDWELL (Glasgow, St. Rollox): I beg to ask the Chancellor of the Exchequer whether it is the case that for the current financial year ending 31st March, 1890, England is in full receipt of the Probate Duties and Licenses, whilst under the Local Government (Scotland) Bill for the same financial year Scotland is to receive only the Probate Duty, and that instead of the Licence Duty (amounting in the case of Scotland to £323,341).

Scotland is only to receive £265,500 in name of Grants; and, if so, how the Government propose to give to Scotland the £57,841 to which according to the above arrangement Scotland is being deprived?

*MR. GOSCHEN: I must demur to the statement of the hon. Member that Scotland is being deprived of something due to her. She has received her proportion of the relief from Probate Duty *pari passu* with England, and that relief amounted to about £155,000 last year, and will be about £230,000 this year—all clear gain. No doubt there is further relief in store for her next year, the equivalent of which England and Wales are already receiving in the present year. But the relief in question, which consists in the receipt of the proceeds of licences in lieu of certain grants surrendered, is inseparable from the reconstruction of Local Government which was effected in England and Wales last year, and is being carried out, as regards Scotland, now. The hon. Member's grievance simply amounts to this—that Local Government in England was dealt with a year sooner than it was in Scotland; and, in view of the impossibility of undertaking two such large measures simultaneously, I do not think that grievance is a substantial one.

MR. CALDWELL: Does the right hon. Gentleman think that Scotland ought to suffer to the extent mentioned in the question?

*MR. GOSCHEN: I deny that Scotland is suffering; but it is not necessary that I should enter into a controversy with the hon. Gentleman as to whether Scotland has its share or not. I may add that the money granted in England is granted for the relief of the rate-payers, and it would appear that the people of Scotland have certainly not shown that they were suffering under the same grievances as England.

MR. CALDWELL: Is Scotland getting an equal share with England?

*MR. SPEAKER: Order, order!

LIGHTHOUSE ILLUMINANTS.

MR. T. W. RUSSELL (Tyrone, S.): I beg to ask the President of the Board of Trade whether he will lay upon the Table of the House the Further Correspondence which has taken place on the subject of Lighthouse Illuminants (in

continuation of Parliamentary Paper, No. 60, of this Session.)?

SIR M. HICKS BEACH: As a question arising out of the Reports of the Trinity House on the experiments made at the South Foreland in 1884 and 1885 has been referred to a committee of the Royal Society, the hon. Member will agree with me that it will be well to wait for the Report of the referees before presenting to Parliament further Papers upon this subject.

KENSINGTON GORE.

MR. BARTLEY (Islington, N.): I beg to ask the Secretary of State for the Home Department whether he will state the names of the different persons, public bodies, and institutions, which have sent protests to the Commissioners for the Exhibition of 1851 against the proposed sale of part of the inner gardens of their estate at Kensington Gore for private buildings?

SIR L. PLAYFAIR (Leeds, S.): I wish also to ask the right hon. Gentleman whether he is aware that a deputation of the Mayors of nearly all the largest towns in England and Wales have waited on the Commissioners to urge that their property in South Kensington shall be sold and realized for the benefit of Provincial Museums?

MR. MATTHEWS: I am informed by the Secretary that five memorials have been received in reference to the building plan of the Commissioners, which are all in the same form, and have been signed on behalf of the Metropolitan Public Gardens Association, the Corporation, Cutlers' Company, Chamber of Commerce, and School of Art of Sheffield, by the Mayors of Birmingham, Burslem, Hanley, Longton, Newcastle-under-Lyme, Stoke-upon-Trent, and Worcester, the Chairman of the Fenton Local Board, the Chief Bailiff of Tunstall, the Presidents of the North Staffordshire and Worcester Chambers of Commerce, and by three manufacturing firms in the Provinces. I understand that no objection to the new building plan has been addressed to the Commissioners by any of the Governing Bodies of the public institutions at present standing on the estate; and, moreover, that in considering the details of the plan great care was taken to avoid any injury to the interests of those institutions. The fact mentioned

with that gentleman in the Yorkshire Provident Insurance Company, and I wish to say that the question of industrial insurance affects something like 10,000,000 policies now existing, with an average small payment of 1½d. a week. I believe I have grounds for assuring the Government that in many hundreds of thousands of these cases there has been clear fraud committed, which it was impossible for the Friendly Societies Committee to investigate within the terms of their Reference. The Act of 1875, which was intended to protect the people, is inoperative, either from difficulties in the way of carrying it out, or from misunderstanding as to what it meant.

A LORD OF THE TREASURY (Sir H. MAXWELL, Wigton): I do not want to enter further into this Debate; but, as Chairman of the Committee on Friendly Societies, I wish to guard myself against being considered to agree with all that has fallen from the hon. Member for Northampton. I cannot help saying that I think it would have been better, in the interest of the inquiry which has been conducted throughout the present Session, and part of last, if the hon. Member's remarks, reflecting, as they do, most seriously upon the Industrial Insurance Companies, had been withheld until the Committee had decided on their Report. I am far from agreeing with all that the hon. Member has said.

MR. BRADLAUGH: I hope I may be allowed to explain that I did not wish in any way to commit my fellow Members of the Committee to my views. But I will undertake, if the Government will appoint a Statutory Commission, to put them in the way of proving the allegations which I have made.

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The Government are fully alive to the great importance of the question which the hon. Member for Northampton has put before us. There is no topic more deserving of consideration than the question of security for the savings of the people, and it is a matter in which the Government has always taken deep interest. But the House ought to suspend its judgment with regard to any particular cases, and ought not hastily to accept the idea that these Industrial Insurance Companies are generally in an unsatisfactory condi-

tion. I hope there will be no panic on this important point. I shall be glad to communicate with the hon. Member for Northampton, and the Government will give their best consideration to the question whether there is or is not a case for the steps which the hon. Member proposes. I can assure the House that if materials are placed before the Government from which they can form a judgment, there is nothing which would occupy them more seriously during the Recess than this question, which has such vast bearings on the savings of the people.

Question put, and agreed to.

ORDERS OF THE DAY.

LIGHT RAILWAYS (IRELAND)

[GRANT, &c.]

Considered in Committee.

(In the Committee)

Motion made, and Question proposed,

"That it is expedient to make a free grant not exceeding the sum of £600,000, or an annual payment, out of moneys to be provided by Parliament, in aid of the construction of Light Railways in Ireland; to authorise the Treasury to give a guarantee, not exceeding the sum of £20,000 per annum, on the capital of such Light Railways, and to make an immediate payment of any guarantee for which they would be subsequently liable; and to authorise the payment of the expenses of working any line so far as they are not paid out of the receipts."

MR. STOREY (Sunderland): I feel it my duty to resist this proposal and to divide against it. The Committee will perhaps note that the proposal is that £600 of public money is to be devoted to railways in Ireland. I should like to point out that this money is not allocated to any specific railway. No plans are placed before us. We are not even informed in what part of the country the railways are to be made. In fact, the proposal is an absolutely speculative proposal. The House of Commons is asked to hand over £600,000 of the public money, as a gift, to be placed under the control of the Lord Lieutenant of Ireland, and this money is to be spent by the Lord Lieutenant and the Board of Works with the consent of the Treasury, how they like, where they like, and when they like. Well, Sir, I submit that this is, to begin

Mr. Bradlaugh

with, an absolutely unconstitutional proposal. The ancient practice of the House of Commons has certainly been to spend money. Some of us think that that has been too much the practice, and from of old the desire of all constitutional ministries—and if not of ministries certainly of independent members—has been to carefully scrutinize all expenditure. I myself might be in favour of spending a certain amount of the public money in making a light railway in Connemara, but I should not be in favour of making such a line in any more favoured part of Ireland. The right hon. Gentleman the Chief Secretary gives us no information about his proposal. The Government, in fact, have no plans. If they had any plans it would have been their bounden duty to place them before us. Having no plans, they ask us blindly and against all precedent to devote £600,000 as a gift to Ireland for light railways. Granting, for the sake of argument, that it might be worth while to make a gift of public money for the construction of light railways in Ireland, before the House of Commons is asked to give this large sum it ought to have some reasonable knowledge where, how, and when it is going to be spent. It is mainly on this constitutional ground that at the present time I rest my objection to this proposal.

SIR G. CAMPBELL (Kirkcaldy, &c.): When I addressed the Committee on this question, I spoke of the Government proposal as one to give £600,000 of public money. I stand corrected by the hon. Member for Cavan (Mr. Biggar) and the last speaker. It is a great deal more than £600,000 that is proposed to be given. The total will be more like two millions and a half sterling, including the capitalized value of the £20,000 a year, and what has already been granted. Whatever the sum be, however, I join in the protest of the hon. Member for Sunderland. In Committee I put down an Amendment providing that the House should not grant this money without having some general indication of the way in which the money was to be spent, and I have on the Paper now a notice which expresses that view. I do not desire that the Government should bind themselves to the exact specification of the railways they wish to make, but that it should be an instruction to

the Committee to specify the directions and districts in which the railways are to be made. At the Committee stage the right hon. Gentleman the Chief Secretary did not volunteer an answer to the appeals made to him to give us information on the point. His intention seems to be to go about with a bag of money in his hand and to give it to whom he likes and withdraw it from whom he likes. The fact is, the Government know that if they stated their intentions every Member for Ireland whose constituents did not get any of the money would vote against them. I do not deny that the Government are, under these circumstances, wise in their generation in withholding this information. I wish to ask an important question, which I think has not yet been answered. If this Resolution is passed how is the money to be provided? Are the Government going to put it on the Estimates, or is it to be raised by means of loans?

MR. COSSHAM (Bristol): I think there is one advantage in the bringing forward of this proposition. Many of my hon. Friends around me were under the impression that somehow these light railways were going to be made without taxing the British taxpayer at all. I think this proposal will open their eyes, and give them a rude awakening. We are asked to vote this money blindfold. I refuse to do it. We are asked to vote this money, partly, I believe, for corrupt purposes. I refuse to do that. We are asked to loosen the purse strings in order to demoralize Ireland, and I object to do that.

MR. CHILDERS (Edinburgh): The proper time for discussing this question in detail will be in Committee on the Bill, but I think we ought to know what will be the exact effect of this particular Resolution. As it is worded it is very difficult to understand. As far as I can understand, the first part of the Resolution authorizes a free gift not exceeding £600,000 for Irish light railways, and the second part authorizes a guarantee, irrespective of that, amounting to £20,000 a year, which would equal a capital sum of £600,000. These two sums together would therefore come to £1,200. But there is more than that. The resolution also authorizes the pay-

ment of the expenses of working any line, so far as they are not paid out of the receipts. Now, the *raison d'être* of this proposal is that the promoters of schemes of this kind have hitherto found that they will not produce their working expenses. I therefore wish to know from the Chancellor of the Exchequer—because the matter is purely a Treasury one—whether I am right in saying that this Resolution contains a proposal for £600,000 as a free gift, for what may be another £600,000 in respect of guarantee, and £300,000 in respect of these railways not paying their working expenses. Will this Resolution practically amount, in other words, to authorizing the Treasury to spend something like £1,500,000 in connection with these light railways?

*THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): Though the right hon. Gentleman's appeal was made directly to the Chancellor of the Exchequer I think, perhaps, I can satisfy him in regard to the financial part of the scheme, as to which he has, I think, fallen into one or two serious errors. There are not two sums of £600,000, but only one such sum. That sum of £600,000 may be used for the construction of the railways in one of two shapes, either as a capital sum to be given as a free gift, or as guaranteed interest, the capitalization of which would amount to £600,000. In other words, the Government offer this grant of £600,000 in two alternate shapes. They say—"We may give it if convenient as a free gift, or we may give it if convenient as guaranteed interest." The clause as to the working expenses was inserted by the Treasury to guard themselves. Under the Bill the lines will in certain circumstances come into the possession of the Treasury, and if the Treasury has no power to work them at all they will be obliged to dispose of them at once, and to take any price offered at the moment. The Treasury think that in order to protect their interests, should a line lapse to them, they must have such power as will enable them to work the line for a period which will give them the opportunity of disposing of the line on the best possible terms to themselves; but there is no question or intention of making the Government for any lengthened period

responsible for the working of any line whatever.

MR. CHILDERS: If that is the explanation of the Government the Resolution is all wrong. It really ought to be altered, because, as now worded, it commits the House to £1,200,000, besides the deficiency in working expenses, which I have estimated at £300,000.

*MR. GOSCHEN: Surely the right hon. Gentleman does not think there is any intention that the various alternatives given in the Resolutions should be added together.

MR. CHILDERS: They are not alternatives, that is the point.

*MR. GOSCHEN: This Resolution will cover the various parts of the Bill, but it may be passed by the House without giving the Government authority to incur any expenditure not authorized by the Bill, and the Bill is distinct on the point. This is one of the best known forms of the House to draw Resolutions wider than the provisions of the Bill in order to cover the various alternatives which the Bill may ultimately embody.

MR. CHILDERS: I would suggest that the Government should report progress, and between now and Thursday should, in conjunction with the Treasury, again look at the Resolution and bring it up in proper shape.

MR. JACKSON: I think the right hon. Gentleman has taken exception to the Resolution in a manner which is unnecessary. The Resolution has been prepared, I believe, in the usual way, and it seems to me that if it had been prepared in any other way it would have been insufficient for its purpose. As has been explained, the proposal is to place at disposal the sum of £600,000. That sum might be used in either of two ways—either it might be given as a capital sum by way of free gift, or it might be given as a guarantee not exceeding the sum calculated at 3 per cent. But if it is used in one way it cannot be used in the other, and that is clearly laid down in the Bill. With regard to the form of the Resolution, it appears to be necessary that the House should authorize the grant of a sum to the extent of £600,000, and it is also necessary that the House should give the power to exercise to the full extent the giving of a guarantee to that amount, in order that

the power may be exercised either in the one way or the other.

MR. S. BUXTON (Tower Hamlets, Poplar): It is unfortunate that there should be any misunderstanding. It is clear from the Bill that it is not intended that the whole sum should exceed £600,000, whether given as a capital sum or as interest. I so far agree with the hon. Member for Sunderland that I think the Government should state that they intend to specify certain districts as the most deserving districts within which the railways should be made. I have already, on the Second Reading, expressed a strong hope that the Bill will become law this Session. I believe it will be a great advantage to Ireland, but I think precautions ought to be taken in order to prevent the money being snapped up by the richer parts of the country. The richer districts can look after themselves, and this Bill is intended to assist railways where otherwise, in the natural course of things, they would not be made.

The Committee divided:—Ayes 230; Noes 76.—(Div. List, No. 243.)

Resolved, "That it is expedient to make a free grant, not exceeding the sum of £600,000, or an annual payment, out of moneys to be provided by Parliament, in aid of the construction of Light Railways in Ireland; to authorize the Treasury to give a guarantee, not exceeding the sum of £20,000 per annum, on the capital of such Light Railways, and to make an immediate payment of any guarantee for which they would be subsequently liable; and to authorize the payment of the expenses of working any line so far as they are not paid out of the receipts."

Resolution to be reported to-morrow.

LOCAL GOVERNMENT (SCOTLAND)

BILL. (No. 334.)

Order for further consideration of Bill as amended, read.

MR. MARJORIBANKS (Berwickshire) moved the omission of Clause 29, containing special provisions as to Service Franchise occupiers. The right hon. Gentleman said: The clause as it stands would have the effect of enabling the employer of any person otherwise entitled to the Service Franchise to disqualify such person by omitting to comply with these provisions. I think that this is a mistake, and I would ask the Government, even at this late stage, to give way on this small point. The

Government say that it is a very small inconvenience which the clause imposes upon the voter, and that being so is a reason why it should be omitted altogether. I trust that the Lord Advocate will consent to omit the clause, and thereby make this concession to the Service Franchise holders as complete as possible.

Amendment proposed in page 21, line 37, to leave out Clause 29.—(Mr. Marjoribanks.)

Question proposed, "That Clause 29 stand part of the Bill."

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I think the clause is necessary, in order to secure that the persons upon whom the Service Franchise is conferred should have an interest in local economy.

*MR. CAMPBELL - BANNERMAN (Stirling Burghs): I look upon the clause as being invidious and inconvenient, but the subject has been fully discussed in Committee, and it is therefore undesirable to spend any more time re-discussing it now. I think, however, that my hon. Friend will be justified in taking a Division.

The Committee divided:—Ayes 194; Noes 133.—(Div. List, No. 244.)

MR. CALDWELL (Glasgow, St. Rollox): In rising to move this Amendment I ought to explain the nature of it. According to the Bill the Returning Officer is to be appointed by the County Councils; but in the event of his dying or becoming otherwise disqualified, then, under the Bill, the Secretary for Scotland is to appoint somebody to act in his place. Now it must be obvious that the Secretary for Scotland is by no means a proper person in whom such an appointment should be vested. Take the case of a county in the North of Scotland, at a great distance from London. Suppose the Returning Officer were to die on the day of election, or suppose that he became suddenly incapacitated through an accident happening, what would be the result? According to the Bill you would have to send to London to get the consent of the Secretary for Scotland for the purpose of appointing a successor, and before you could possibly get that consent the election would be all over, and much confusion would have been caused.

Now it is clear that appointments of this kind could be more easily made in the county. As the original appointment is to be made by the County Council, surely that is the proper authority for making subsequent appointments, and it would be far less inconvenient to leave such appointments with the County Council than to make it necessary to communicate with the Secretary for Scotland, who might possibly be in London at the time. The Sheriff is a public official, and is generally resident in a county town. He would be accessible at any time, no matter how short the notice might be. He could be consulted at once by the County Council in regard to the appointment of a successor to the Returning Officer, and the whole matter could be arranged in the course of two or three hours instead of its being necessary to send to London, and to spend two or three days in communicating with the Secretary for Scotland. It must be obvious that matters of this kind can be more easily managed in the county than by reference to London, and I cannot understand on what ground the Government insist on sending everything to London to be decided on, instead of allowing these matters to be settled in the localities most interested. It may be said by the Lord Advocate that it is open to the Returning Officer to appoint his deputy; but we all know that the powers of a deputy expire with the expiration of the powers of his principal, and, in the event of the death of a Returning Officer, I venture to say that the deputy would cease to hold any power to act. This is a matter of considerable importance locally, and I repeat that by insisting on the clause as it stands, the risk will be run of rendering elections nugatory in certain instances. Even if the appointment is to be made by the Secretary for Scotland, it is well to remember that that official will have to consult the views of the Local Authority as to whom he will appoint. But for the difficulty of summoning a meeting of the County Council, there would be no reason why, in the event of the disqualification of the Returning Officer, the County Council should not have the power of electing his successor without appeal to the Sheriff or to the Secretary for Scotland. There is, however, a difficulty in adopting that course; but

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there is no reason why appointments of this kind should be delegated to London, when they can be far more conveniently made in the county town where the Sheriff resides and where he can, in conjunction with the Local Authority, select a suitable man on the spot. I therefore beg to move the Amendment which stands in my name.

Amendment proposed, in page 23, line 4, to leave out the words "Secretary for Scotland," and insert the word "Sheriff."—(*Mr. Caldwell*.)

Question proposed, "That the words 'Secretary for Scotland' stand part of the Bill."

MR. J. P. B. ROBERTSON: This is a matter of very small detail, and I think I shall meet the general sense of the House if I discuss it at proportionate length. The reason why the Secretary for Scotland has been selected for this duty, is that it is very desirable to have one Central Authority in all burghs and counties, entirely removed from considerations of local character.

Question put, and agreed to.

Amendment proposed, in page 24, line 21, after the word "election," to insert the words "in a county."—(*The Lord Advocate*.)

Question proposed, "That those words be there inserted."

SIR GEORGE CAMPBELL (Kirkcaldy): I hope that this Amendment is intended to meet the objection which I have already raised. It is to the same effect as the one I put on the Paper, although I must say I should prefer the wording of my own Amendment, as being more intelligible to the ordinary public. I would suggest that there is some little obscurity in the use here of the word "county."

MR. J. P. B. ROBERTSON: May I point out to the hon. Baronet that the word "county" which is used in this Amendment is one of the five words explained in the definition clause. It is a county as distinguished from a burgh.

SIR GEORGE CAMPBELL: But the County Councils are composed partly of Councillors from counties, and partly of Councillors from contributory burghs.

I will not, however, press any objection to the Amendment.

Question put, and agreed to.

MR. CALDWELL: My reason for proposing the next Amendment is that it would be more convenient to leave out the words "elected by a burgh," and insert the words "elected under Section 8 of the Act." It would prove convenient, for instance, in case we proposed to extend Section 8 to the case of police burghs.

Amendment proposed, in page 24, line 25, to leave out the words "by a burgh," and insert the words "under Section 8 of this Act."—(*Mr. Caldwell.*)

Question proposed, "That the words 'by a burgh' stand part of the Bill."

MR. J. P. B. ROBERTSON: I think it would be more convenient to accept the Amendment which appears in the name of the hon. Member for Forfarshire. It is quite obvious Clause 33 ought to form a complete code in itself.

Amendment, by leave, withdrawn.

MR. A. ELLIOT (Roxburgh): I will, in the absence of the hon. Member for Forfarshire, move the Amendment standing in his name.

Amendment proposed, in page 24, line 26, after the word "council," to insert the words

"and being a councillor elected by a burgh the vacancy shall be filled up by the town council."—(*Mr. A. Elliot.*)

Question, "That those words be there inserted," put, and agreed to.

MR. CALDWELL: This next question raises a most important matter. It is the first line on which arises the point as to who are to be the *ex officio* members of the Council, and it is therefore necessary that we should challenge the matter at this stage. The point is, shall there be *ex officio* members on the County Councils? I think all experience shows that the County Councils should be allowed to act upon their own responsibility, and manage their own affairs from the very commencement. The argument of the Government is that there ought to be continuity of policy. But this argument acts two ways in connection with the present question. The affairs of the county have hitherto been

very well managed by the Commissioners of Supply, and in that regard it is said to be desirable that there should be a continuity of policy. But we are also taking the management of matters connected with public health from the control of the Local Authority, because those matters have been badly managed, and how, then, does the argument stand that there should be in that continuity of policy? It appears to me that what is sought to be secured is not so much continuity of policy as to retain in the hands of landed proprietors the powers which they have hitherto exercised. You make a show under this Bill of conceding popular representative Government, but you affix conditions which will secure to the landed interest a certain amount of representation on the County Councils, with the object, as you say, of ensuring a continuity of policy. Now we object to that. Take for instance the case of the Education Act. When the Education Act came into operation, it was controlled to a large extent under the parochial system by the ministers and elders of the parish, but when you introduced the School Board, you got no such thing as a continuity of policy. You simply called the School Board into existence for the first time; you made it a Board purely elected by the ratepayers, and you did not place upon it one single *ex officio* representative of the old educational authority. That was in accordance with the spirit of Scotch legislation. The Education Act of 1872 was brought in by a Liberal Government and was based upon Liberal lines; and that was the reason why you allowed the people to elect their own representatives, and why you allowed those representatives to begin their work *ab initio* without influence or control from the old educational authority. Then, again, take the case of this House. It is probably very important that in the case of this House you should have continuity of policy, but whatever may be your views about that, you never think, when you are summoning a new Parliament, of calling a number of *ex officio* Members of the old Parliament with a view to securing continuity of policy. Such a principle is utterly repugnant to anything in the nature of popular representation. But it does not follow because you do not appoint *ex officio* Members

that, therefore, there is no continuity of policy. Although there are no *ex officio* Members in this House we know very well that the more prominent Members of the old Parliament are invariably elected to the new Parliament. The same thing will occur in regard to the county elections. The men who have hitherto taken an active part in the management of the county business are sure to become Members of the new Councils without there being any necessity of appointing them *ex officio* Members. The result is that you can attain the object which you have in view without allowing these men to be appointed as County Councillors to go through the odious process of selection which this Bill establishes. There is no reason why all gentlemen who are to become Members of the first County Council should not undergo the process of election and receive the mandate of their constituencies. The majority of the people of Scotland are undoubtedly Liberal in politics, and they can perfectly understand the difference between Liberalism and Conservatism. In Scotland Liberalism means trust in the people and the representatives of the people, while Conservatism means want of trust in the people and the giving of certain privileges to certain classes of the community. The Education Act was passed by the Liberal Government. In that Act the Government gave the control of education to the representatives of the people, free and untrammelled, but in this instance the Conservative Government do not propose to entrust the chosen of the people the management of the people's affairs free and unrestrained. You propose to put upon the new Council certain men who are notoriously Conservative. Instead of making an endeavour to treat the business of Scotland in a way which is in accordance with the wishes of the people of Scotland, you insist upon filling this Bill with your Conservative notions. It is because of many acts of this kind that Conservatism never can make progress in Scotland. Proceedings such as the Government have resorted to in the case of this Bill carry conviction to the minds of the Scottish people far more quickly than any amount of argument concerning Liberal and Conservative principles. The Government have certainly made this Bill in a great measure a Liberal Bill. It has

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been made Liberal in many particulars, but the fact is not due to the action of those who drew the Bill, but to the attitude of those on the Opposition Benches, who have brought in Liberal Amendments. The Government are so blind, that though they know that a policy of the kind embodied in this clause is utterly at variance with the feelings of the majority of the people of Scotland, they insist in introducing in the Councils the *ex officio* element. Experience shows that people will not look at the advantages of a Bill so much as they will look at the disadvantages of it. In politics people do not consider what is given to them so much as what is withheld from them. What have the Government done in respect to education? They have conceded free education—

*MR. SPEAKER: Order! Order! The hon. Gentleman is entering into matters which do not appertain to the subject now before the House.

MR. CALDWELL: I accept your ruling at once, Sir, and will now move the Amendment.

Amendment proposed, in page 26, line 7, to leave out Sub-section (4) of Clause 37. (*Mr. Caldwell.*)

Question proposed, "That the words 'The Chairman of the County Road Trustees' stand part of the Bill."

DR. CLARK (Caithness): I hope the Lord Advocate will accept this Amendment in order that we may come to Section 107, when the whole question can be considered. After all, this is one of the transitory provisions, and it ought surely to be amongst the rest of such provisions, instead of amongst the temporary ones. I do not want to discuss the matter now and again upon Section 107, but we may probably have a Division on this principle, because it will be a very serious matter to the smaller counties to have four or five nominated members to possibly only 20 elected Members.

*MR. D. CRAWFORD (Lanark, N.E.): A word with reference to the manner in which this Amendment has been argued. The arguments adduced by the hon. Member for the St. Rollox Division had absolutely no bearing on the Amendment. If this sub-section were struck out of the clause it would not prevent the Government estab-

lishing *ex officio* members when we come to Section 107. On the other hand if this sub-section remains in the Bill, it will not prevent us moving that there shall be no *ex officio* members when we come to Section 107. There is a good deal in the suggestion made by the hon. Member for Caithness, namely, that this is in reality a transitory provision, and that, therefore, it is hardly in its right place in the Bill. But I most respectfully enter my protest, considering that we are anxious to get this Bill through, against Amendments being argued at prodigious length, with prodigious prolixity and verbosity, and upon grounds which are totally irrelevant to the Amendments.

Amendment, by leave, withdrawn.

*MR. ESSLEMONT (Aberdeen, E.): Before we leave this clause I desire to call attention to a matter of some importance. There is no schedule relating to County Council elections, while the Lord Advocate knows that the schedule relating to Town Council elections has been very unsatisfactory. I merely call the attention of the Lord Advocate to the matter in the hope that he will consider it in a later stage of the Bill.

On the Motion of The LORD ADVOCATE the following Amendments were made:—Clause 37, page 26, line 8, before "section," insert "one hundred and seventh;" line 12, after "named," insert the following sub-section:—

"(5.) Sub-section five of section eighty-nine of 'The Roads and Bridges (Scotland) Act, 1878,' shall not apply to any of the purposes of this Act, except the purposes of the last-mentioned Act;"

Line 22, leave out "the Acts of 1889," and insert "this Act;" Clause 38, page 26, line 26, leave out "the said Acts," and insert "this Act;" Clause 39, page 27, line 33, before "of," insert "one hundred and seventh;" Clause 41, page 28, line 7, leave out "for police purposes fixed or ascertained," and insert "fixed or ascertained for police purposes;" Clause 42, page 28, line 17, leave out "and burghs;" line 22, after "and," insert—

"(b.) The boundaries of burghs for the purposes of this Act shall be held to be the boundaries thereof as the same are or may be ascertained, fixed, or determined for police purposes under the provisions contained in any general or local Act of Parliament, or when no police assessment is levied as the same are or may be

ascertained, fixed, or determined for municipal purposes; provided, that police burghs shall not in any case be deemed to be burghs for the purposes of this Act, except for the purposes of, and subject to, the provisions of 'The Roads and Bridges (Scotland) Act, 1878;'"

Clause 43, page 28, lines 33 and 34, leave out "or parishes;" line 34, after "counties," insert "or parishes."

Amendment proposed, in page 28, line 35, after the word "say," to insert the words—

"James Arthur Crichton, Esquire, Sheriff of the Lothians, the Honourable Thomas Henry Pelham, and Colonel Edward Donald Malcolm, C.B., Royal Engineers (of whom the first-named shall be chairman)."—(*The Lord Advocate.*)

Question proposed, "That those words be there inserted."

MR. HUNTER (Aberdeen, N.): I really think the hon. and learned Lord Advocate should offer some explanation with regard to the names he proposes. One of the names—Pelham—does not appear to me to have a Scotch sound, and I do not know why Colonel Malcolm should be one of the Commissioners unless it is that he occupies a high place in the Primrose League.

MR. J. P. B. ROBERTSON: The three names are tolerably well known in Scotland, and I do not think that to the aggregate composition of the Commission, so far as politics are concerned, Gentlemen opposite can take much exception. So far as Colonel Malcolm is concerned I have no doubt he shares the political opinions of his family and is a Conservative. He is a distinguished engineer officer, and has been selected upon the ground that in the definition of boundaries it is desirable to have the benefit of his experience. Sheriff Crichton is an experienced man of business as well as a sound practical lawyer, and his politics are not those of this side of the House. Mr. Pelham has acted as a Boundary Commissioner upon two occasions, and has proved a most capable and valuable public servant in that regard. His politics, I understand, are not those of the Government. The Government has been anxious to equip such a Commission as will be a working Commission, representing an adequacy of legal knowledge, and, at the same time, experienced in

the special business of the definition of boundaries combined with the high engineering skill which Colonel Malcolm will bring to bear.

*MR. CAMPBELL BANNERMAN: I do not wish to take any exception to the names, but to put a question which affects the War Office more, perhaps, than any other Department. I do not know whether Colonel Malcolm is still the Commanding Royal Engineer in North Britain. If he is, it seems a somewhat unusual thing that he should be made a member of this Commission.

MR. J. P. B. ROBERTSON: I understand Colonel Malcolm does hold that position, but that arrangements will be made by the War Office whereby he will be released from his military duties in order that he may serve on the Commission.

Question put, and agreed to.

Other Amendments made.

MR. CALDWELL: In moving to leave out "shall," in line 4, page 35, and insert "may," I will only say that according to the Bill the District Councils are to be the parties who are to have charge of the public health. The feeling of the Committee was that the party charged with attention to the public health should have a Medical Officer and a Sanitary Inspector. Surely it is far more important that the District Councils should have a Medical Officer of Health and a Sanitary Inspector than the county as a whole. The draughtsman originally inserted the word "may," and he was right, because the Medical Officer is to hold no other appointment, and it may happen that men might be appointed where practically there was no work.

Amendment proposed, in page 35, line 4, leave out the word "shall," and insert the word "may."—*Mr. Caldwell.*

Question proposed, "That the word 'shall' stand part of the Bill."

MR. J. P. B. ROBERTSON: This was a decision rather of the Committee than of the Government. The matter has been fully considered, and I am quite prepared to stand by the decision of the Committee.

SIR G. CAMPBELL: I agree with the Lord Advocate that this was rather a decision of the Committee than of the

Mr. J. P. B. Robertson.

Government; but, at the same time, I think the Committee were carried away by a wave of sanitary enthusiasm a little further than it was desirable they should be. Take the case of the County of Clackmannan. It consists of three or four parishes, and yet you are going to appoint a Medical Officer and Sanitary Inspector, who shall have no other work to do. I think the House is rather rash in this matter.

DR. CLARK: I think my hon. Friend is somewhat mistaken. This is a permissive clause, and the County of Clackmannan will be able to allow its Medical Officer to practice if it thinks fit.

DR. FARQUHARSON (Aberdeenshire, W.): In the present condition of affairs many counties have no Sanitary Officers at all. I think it right that small counties should be allowed to combine with others, in order to obtain the services of well qualified men.

Question put, and agreed to.

Amendments proposed, in Clause 49, page 33, line 41, after "situate," insert "or partly situate"; Clause 50, page 35, line 20, after "Committee," insert "as the Local Authority."—(*The Lord Advocate.*)

Amendments agreed to.

DR. CLARK: I think the Committee made a mistake in agreeing to the words in Clause 52 that exclude the appointment of medical men who are not certified as qualified in midwifery. I never could understand why this qualification was inserted; but I now find it is in connection with the Act passed in 1866, by which every examining body was required to examine in midwifery as well as medicine. Prior to this, examination in midwifery was optional, and many medical men were placed on the Register, not having gone through the examination in midwifery. Now, the Amendment I have to propose is to provide that the qualification shall be that of a registered medical practitioner, and that would include those who passed before 1866, and who will then be qualified for appointment as Officers of Health. The clause as it stands would limit the appointments to those qualified and placed on the Register since 1866.

Amendment proposed, in page 35, line 36, after the word "he," to insert the words "is a registered medical practitioner, or unless he be legally qualified."—(*Dr. Clark.*)

Question proposed, "That those words be there inserted."

*SIR LYON PLAYFAIR (Leeds, South): If the Lord Advocate will look at the Local Government Act for England, he will find that, in order to do what was considered just, a certain number of years were allowed in order that in a certain period any Medical Officer might complete his qualification.

DR. CLARK: It comes under the next clause.

*SIR LYON PLAYFAIR: The two Acts should run on all fours.

DR. FARQUHARSON: I think that as a qualification the term "registered medical practitioner" covers everything that is required.

MR. J. P. B. ROBERTSON: I am quite prepared to accept the Amendment. I think the hon. Member had better stop at the words "medical practitioner."

DR. CLARK: Striking out the remaining words, "unless he be legally qualified, &c."

MR. J. P. B. ROBERTSON: Yes.

Amendment amended by leaving out the words "or unless he be legally qualified," and Amendment, as amended, agreed to.

Amendment proposed, to omit the words from "be," to end of sub-section.—(*The Solicitor General for Scotland.*)

Amendment agreed to.

DR. CLARK: Clause 52 carries out a kind of compromise by which, after three years from now, no man can be appointed a Medical Officer of Health, unless he is qualified in sanitary science, public health, or State medicine under the Medical Act of 1866; but there is an exception to this, and that is if a man has continued in an appointment during three years in a district where there is a population of 20,000; but anyone who has been so acting in a district with a population under 20,000 will not be qualified. Now, this was the course followed in the English Act, but it is not applicable to Scotland. The figure of 20,000 is a large population for Scotland, and it is

not reasonable that where in one parish a man is considered qualified because the population is 21,000, in the next parish, under otherwise similar circumstances, a man is disqualified because the population happens to be 18,000. You might give a man three years in which to qualify, and at the end of that time, if he has any brains, he will become qualified in State medicine. Better drop the rest of the section out altogether, and provide that at the end of three years only those qualified in sanitary science, public health, or State medicine shall be appointed.

Amendment proposed, in Clause 52, line 36, to leave out from "1866" to end of sub-section.

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. J. P. B. ROBERTSON: I think this may safely be accepted, leaving to the County Council a definite qualification in which to exercise their choice.

Question put, and negatived.

DR. FARQUHARSON: If the Amendment I now have to propose needed any defence, which I do not think it does, I might leave that to the Lord Advocate himself. The right hon. Gentleman last night made a most excellent speech in favour of the principle upon which my Amendment is founded. He told us, in most convincing terms, that scientific work must be fearlessly done, and the people who carried it out must have a certain position of independence, and I think everyone must admit that the work of a scientific Medical Officer may very often be of a disturbing nature to vested interests, and will cause worry, vexation, and annoyance, and sometimes loss to the Local Body, who may reflect that annoyance upon the medical officer, and end it by putting an end to his occupation of office. On this account I would give to the officer the right of appeal to the judgment of another body remote from any local feeling.

Amendment proposed, in page 36, line 17, at the end of Clause 52, to insert as a sub-section the words—

"Every medical officer and every sanitary inspector appointed under this Act or under the Public Health Acts shall be removable from

office with the sanction of the board of supervision."—(Dr. Farquharson.)

Question proposed, "That the proposed sub-section be there inserted."

MR. CALDWELL: I think the word "only" should come in after the word "shall."

MR. W. FARQUHARSON: I am not particular as to the position.

*SIR LYON PLAYFAIR: I hope the Lord Advocate will consent to this.

MR. HUNTER: I hope the right hon. Gentleman will not assent to this. Certainly I think the County Council, the Local Authority, should be entrusted with the control of its own officers.

SIR G. CAMPBELL: I respect the views of my hon. Friend (Dr. Farquharson), and admire the enthusiasm with which he acts up to what he thinks right in matters that concern the profession, but I am a little alarmed at the extent to which the Government seem disposed to meet the views of the profession. I join in opposition to the Amendment, for although there is reason for the officer carrying out his duties in an independent manner, it is more important that the Local Authority, the County Council, should be independent in its own house, and have control over its own officers. I have seen a great deal of the evil results of a state of friction between an officer and the Local Body under whom he acts, and I am quite sure that these evils are infinitely greater than the risk of a competent officer being dismissed by the Local Authority. I think you may trust the Local Authority in this matter.

*MR. CAMPBELL-BANNERMAN: I think the argument on a former occasion was that while it was undesirable that a Medical Officer of Health should be at the mercy of a Local Body in a small district, the County Council was a large enough body to guarantee him against any abuse of the power of removal. I understand that a Town Council has full power to remove its Sanitary Officer, and I do not see why a County Council should not have similar power. While I disagree with the Amendment on this positive ground, I do so also on the negative ground, that we are not very much enamoured with the Board of Supervision to whom it is proposed to entrust the decision on appeal.

*DR. McDONALD (Ross and Cromarty): I think it is most desirable there should be a power of appeal. I am not so satisfied with the Board of Supervision as the authority, and would prefer the County Council, but there should be an appeal somewhere. It must be known to anyone who looks at the administration in England that the usefulness of the Medical Officer is impeded by the fact that if he takes action against a nuisance upon the property of a member of the Local Body, or a relative of one, immediately there is a section of the body up in arms against him and an intrigue commenced for his removal from office. Sooner than have no appeal at all I would support the Amendment.

*MR. ESSLEMONT: We shall certainly ask the Committee to divide against this if it is accepted by the Government. We have for many years heard this argument about possible injustice to teachers and other officers under the control of Local Bodies, but the fears are never realized. With all deference to my hon. Friend and Colleague in the representation of Aberdeenshire, I think it would be a mistake to make the Medical Officer independent of those who pay him for his professional services. In a body such as the County Council there will be no fear of individual pressure being brought to bear against a Medical Officer. So long as the officer conscientiously discharges his duty, so long will he be trusted by the community, and individual animosity will not prevail against him.

DR. CAMERON (Glasgow, College): I heartily agree with part of my hon. Friend's proposal, but I think the Sanitary Inspector should be removable. I know in Glasgow, for instance, where we have a model of good sanitary administration on the part of the Officer of Health there was for a time considerable difficulty in consequence of his absence of control over the Sanitary Inspector, and I think it would much more conduce to good sanitary administration if you had the Sanitary Inspector removable. As a matter of fact, the tenure of office of the Medical Officer of Health in burghs—I do not know whether by regulations or custom—but it is the fact that in certain towns the tenure of office has been for life. In some towns, in Greenock, for instance, a provision ap-

pointing the Medical Officer for life has been inserted in local Acts. In Greenock I understand the Medical Officer refused to take office, except upon condition of life tenure, and the condition was inserted in the local Act. The Medical Officer in this town had many difficulties to encounter, and local prejudices were so strong against him that, but for this safeguard, Greenock would probably have long since dispensed with the services of its Medical Officer, which have been of the greatest benefit to the town and have greatly reduced the death rate. Some safeguard of the kind is desirable in the Bill. I am as little enamoured of the Board of Supervision as any hon. Member, but having it we must put up with it. I would, however, suggest to my hon. Friend that he should modify his Amendment by omitting the reference to the Sanitary Inspector, leaving this official more under the control of the Medical Officer of Health. By this you will have a more scientific and efficient administration.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. RITCHIE, Tower Hamlets, St. George's): I only wish to correct an impression of the hon. Member for Ross (Dr. McDonald) that in England Medical Officers of Health are removable by the authority appointing them.

*DR. McDONALD: After a few years.

MR. RITCHIE: They are appointed with the sanction of the Local Government Board, and their dismissal requires the same sanction.

DR. CLARK: There is a sort of Medical Trades Union which, like other Trades Unions, tries to get as much as it can for itself and its members. Still, I support the proposal, because I think some security of tenure of office for the Medical Officers is desirable. They, like all other men, are amenable to pressure, and it is to be feared that without some security of tenure we shall not have the Public Health Act carried out as it should be. To give more security I would have an appeal somewhere to the Board of Supervision or the Secretary for Scotland, and I should rather prefer the latter. I dislike the composition of the Board of Supervision; but I think, on ground shown, they would not refuse to support the action of the representative County Council, and act as I

remember they did some 20 years ago, when I had occasion to press for the removal of the Medical Officer at Govan, who was using his power in a way that he should not have used it. Of course, there is this to be said on behalf of the County Council—that it is a large and representative body, in which individual prejudices will not have much influence. Still, upon the whole, I think it would be much better, in order that the Medical Officer may carry out the Act thoroughly, that he should have some right of appeal from those who may be interested parties to some independent judgment—to the Secretary for Scotland, as I would prefer, or to the Board of Supervision. So I support the proposal in its modified form.

MR. J. P. B. ROBERTSON: I hope my hon. Friend will adhere to his Motion as it stands, and not desert the Sanitary Inspectors, who require protection in their duties quite as much as the Medical Officers. I may observe that, in point of fact, the right of removal will still be with the County Council, but there will be this right of appeal against what may be an abuse of this power of removal.

The Committee divided:—Ayes 229; Noes 126.—(Div. List, No. 245.)

Another Amendment made.

MR. CALDWELL: Mr. Speaker, the Amendment in my name raises a very important question, though it does not require to be discussed at any great length. It is whether the County Council shall have the power of promoting, as well as opposing, Bills in Parliament. That power is recognized in the case of the burghs of Scotland. The County Councils occupy a position analogous to that of the burghs, and it certainly seems hard that the latter should have this power while the County Councils, which are more important than many burghs, are denied that power. As to the question of the expense of promoting Bills in Parliament, the County Councils would be amenable to the ratepayers, and I think the power might reasonably be left in the hands of the County Council to settle whether or not a Bill shall be promoted.

Amendment proposed, in page 37, line 2, after the word "of," to insert

the words "promoting and."—(Mr. Caldwell.)

Question proposed, "That the words 'promoting and' be there inserted."

MR. J. P. B. ROBERTSON: The Committee will observe that the County Council has power to promote Provisional Order Bills, and that appears to be the proper measure of initiation to entrust to it, and I cannot concede the proposal of the hon. Gentleman opposite. The analogy of the burghs is not quite sound, or at all events it must be accepted with very grave reservations. The burghs meet the cost of legislation by moneys out of "The Common Good," and they are not allowed to apply to the rates for the purpose. That is rather an important distinction when you come to use the burghs as a precedent for the County Councils.

SIR G. CAMPBELL: It seems to me the analogy of the Provisional Order Bills applies the other way. If it is expedient to give the County Council power to promote Bills in the form of Provisional Orders, I do not see why they should not have the power of promoting Bills in another form. It is difficult to conceive any reason why the Council should be deprived of the power of promoting important local Bills, as long as they have no legislative power of their own. It does seem to me that this centralizing of legislation here is inconvenient and unjust in every way. There is a provision with regard to certain subjects, that the burgh cannot promote a Bill in Parliament without taking a *plébiscite*. I have no objection to that course if it is necessary, and perhaps if the Government were to modify the clause in that direction my hon. Friend would accept the modification.

DR. CAMERON: With respect to the Lord Advocate's statement as to the burghs promoting Bills out of "The Common Good," that merely means the Common Fund, which burghs have at their disposal, and which is often spent for worse purposes than the promotion of Bills in Parliament. I think it would be very much better to allow the County Councils to promote as well as oppose Bills, in the same way as Town Councils do, and to drop out this sub-section, providing that no consent of the owners of property and ratepayers shall be re-

quired to the expenditure of public money, either in promoting or opposing Bills. That would be precisely analogous to what exists in burghs. There is no difference between money spent out of the common fund and out of the rates; and you will get a system which has been found to work well, and a system of control which has been long known in England, and which would certainly prevent any abuse of power.

*MR. ESSLEMONT: I hope my hon. Friend will go to a Division, for we are minimising the powers of the County Council to an extent that renders them hardly worth fighting for. We ought to stop this minimising of the powers of the County Council somewhere; otherwise they will scarcely be worth having.

MR. HUNTER: The Lord Advocate stated that the County Council had power to promote Provisional Order Bills, the system with regard to which is admirable when there is no obstruction to overcome. But if there is any obstruction, we know that the system only doubles the expense and increases the difficulties of the Corporation. Therefore, to say that they are authorized to promote Bills in the form of Provisional Orders is to give them a power which is of comparatively little use, and I entirely agree with what has fallen from my hon. Friend for East Aberdeenshire, that this Bill is ridiculous in creating the elaborate machinery of the County Council, only to deprive it of jurisdiction. And I think we must fight every point on which the question of the power of the County Council arises.

The House divided:—Ayes 135; Noes 185.—(Div. List, No. 246.)

MR. CALDWELL: The next Amendment is somewhat consequential on the last. I will not move it, but will take the Division—with which I have no reason to be dissatisfied—as applying to this Amendment. I have, however, an Amendment on the Paper to Clause 55 which I will move. I desire to omit the words which enable a County Council to make bye-laws for the prevention and suppression of nuisances not already punishable in a summary manner by virtue of any Act in force throughout the country. This clause introduces a new summary power of punishing, and it seems to me rather a serious thing that, in a County Council

Bill, which really relates to the management of the county, and the creation of new bodies to enforce that law as it is, we should interpolate a power practically changing the existing law and machinery of the law. We do not know how far this power may extend. The Public Health (Scotland) Act applies to all burghs and counties in Scotland alike, but you are proposing to alter the general law relating to public health which applies to every part of the United Kingdom. You confer certain powers on the Authorities created under the Bill, but leave outside altogether the burghs, which will then require to be conducted according to the powers at present existing. It was one of the great objections taken to the Burgh Police Bill of last year, that though brought in to deal with matters of public health, applicable to burghs alone, its effect was to alter the general law that applied to the whole country. This clause in the same way alters the law, and is in no way confined to the management of counties.

Amendment proposed, in page 37, line 24, to leave out from the word "vagrancy," to the word "and," in line 27.—(*Mr. Caldwell.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

**MR. D. CRAWFORD*: I hope the Government will adhere to the clause as it stands. It is a perfectly reasonable proposal that the County Authorities should have power to make bye-laws. Town Councillors and Burgh Commissioners have those powers and no similar powers exist in the county. I would point out this also, that while it is undoubtedly necessary to take a second Division on Report on very important points, a decision has already been taken on most of these matters in Committee. It hardly seems to me right that, on a small point of this kind which has been decided in Committee, there should be again a full discussion. If we are to accept, as a rule, that all points discussed in Committee are to be again discussed on Report, we might as well do away with the Committee stage altogether. The hon. Gentleman who has moved this Amendment had no less than 60 Amendments to the Bill on Report—I took the trouble

to count them. That is most unreasonable, and would in itself afford a reason to us for supporting the Government against an Amendment like the present.

SIR G. CAMPBELL: If the hon. Member who has just sat down (*Mr. D. Crawford*) is anxious to see the Bill pass quickly, he should not suggest that it is not right to move Amendments on Report. I must express astonishment at the hon. Member for the St. Rollox division moving this present Amendment, however. We have just voted with him on an Amendment, the object of which was to resist a provision by which the powers of the County Councils will be minimized, and now he comes forward himself with an Amendment to minimize their powers and deprive them of the power of making bye-laws. The power he objects to seems to me an excellent one. It is given to the English County Councils, and I hope the House will not for a moment think of depriving the Scotch County Councils of it.

DR. CLARK: I do not think this matter was discussed in Committee, although I strongly support the clause. Certainly I should like to see the word "nuisance" defined a little better in the clause, because we know how it has been used in some districts of the Highlands. This power of making bye-laws seems to me necessary. At the present time Medical Officers of Health in burghs are able to prevent scarlet fever infection in milk shops; but they are not able to do so in the country where the milk comes from, and whence the disease is often brought. The County Councils should be able to pass bye-laws to enable their Medical Officers to prevent diseases of this kind from being carried into the towns.

**MR. ESSLEMONT*: I am certain my hon. Friend (*Mr. Caldwell*) does not mean to press this Amendment, which is a ridiculous proposal.

Amendment, by leave, withdrawn.

On Motion of The LORD ADVOCATE the following Amendments were agreed to:—Clause 55, page 38, line 14, after "burgh," insert "or police commissioners of any police burgh;" Clause 58, page 39, line 23, before "this," insert "section thirteen and fourteen

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of the wedge. I object to the sub-section on that ground, and I also think that it will be an insult to the Emigration Committee to deal with the subject until they have reported.

Mr. RITCHIE: So far as insult to the Committee is concerned, I must say that what the sub-section authorizes is not likely to interfere with the recommendations of the Committee, which are most likely to deal with State-aided emigration. Of course, it is quite possible that they may recommend that the County Councils should have powers of this kind. There is nothing compulsory about these powers. All they would do would be to give the County Council authority, when it was thought that certain families might, with advantage to themselves and the county, be removed, to advance money to emigrate them on security being given for repayment of the money advanced. There is no question of risk, for there will be the security of the bodies to whom the money is advanced, or of the colonies themselves. The hon. Gentleman opposite says that if this is good for Scotland it is good for England. But, in reply to that, I would point out that the English County Councils have the same power. These are very proper powers to give to the County Council. When we are setting up such an authority it is not trusting them unduly to enable them to advance money on the security of the rates of the locality for purposes of emigration. Such a power in many cases may be exercised with extraordinary advantage, not only to the people concerned but to the county itself. I trust the House will give this power to the Scotch Councils, corresponding to the power we have already conferred on the English Councils.

*Mr. CHILDERS: There is great force in what the right hon. Gentleman has said. But throughout his observations he has confined himself to emigration. Under the old English Poor Law Act there is a power to assist persons to emigrate. I do not say that that power has in every instance worked well, but I do not think it has caused any mischief. But there is a word put in the clause of a very different character to emigration—namely, “colonization.” Emigration may cost £5, £10, or £15 a head, but colonization may cost £100.

The charge under a scheme of colonization might be extremely heavy. Though the county is to have a guarantee from some authority, it does not say what authority. It mentions the colonies, but colonial security, in some cases, may be very doubtful security. Though these guarantees are necessary there is no other restraint put on the County Councils. They might spend £10,000 or £20,000 on colonization without any other restraint. I would suggest that the words “or colonization” should be omitted. The words are very wide and they are inconsistent with the principle on which for 50 years we have, under our Poor Law, acted.

SIR G. CAMPBELL: It is unfortunate that this important clause should have been passed through Committee without being discussed at all. When we got to the latter part of the Bill in Committee it was shoved through with insufficient discussion. It will be difficult to deal with this clause as it should be dealt with on Report; and I, therefore, hope that the Government will consent to make this clause one of those in respect of which the Bill is to be re-committed. I agree that there is great danger in the wide character of this clause. Not only are powers to be given for emigration and colonization, but they are to be given to bodies “corporate and incorporate.” That means, or may mean, jobbing emigration companies, of which there are a great many in Scotland. These companies may be influential in certain counties, or may manage to get the ear of County Councillors. It seems to me dangerous to give the Local Authorities power to lend money to bodies like these, who profess to own land in certain places, but which land nobody has ever seen. There are many land companies who are paying large dividends, but there are many who have come to grief, and there are many more who may come to grief, and by whom the ratepayers might be let in to a considerable extent. The clause speaks of getting colonial guarantees, but my impression is that you would not get the Government of any colony to guarantee anything. If you did, you would have no power to enforce the guarantee. The matter is one that requires amendment, and I hope the Government will consent to drop the clause, and allow it to

be one in respect of which the Bill shall be re-committed.

*MR. D. CRAWFORD: I hope the Government will listen to the appeal which has been made to them with regard to this clause, my objections to which go even beyond those of the right hon. Gentleman the Member for Edinburgh. We are most anxious that the administration of the Poor Law should be brought into connection with the County Councils; but our efforts to accomplish that were resisted and defeated, and I do not think the clause ought to be allowed to stand in its present shape in relation to a single detail of Poor Law administration—namely the handing over to the County Councils the question of emigration. The clause is a fancy clause, and we do not want fancy clauses in this Bill.

*MR. PROVAND Glasgow, Blackfriars: The proposal contained in this clause has no parallel in anything that has been suggested in past legislation relating to Local Government. Though it might not be of great consequence in relation to England it assumes a very different shape when applied to Scotland, in some parts of which the clause would be simply inoperative, while in those parts where it would be put in force it would be a most dangerous power to confer on the Local Authority. Whether the assistance comes from local or Imperial taxation the result would be exactly the same. All Scotchmen on either side of the House ought to oppose this clause, the scope of which is somewhat remarkable, because it authorizes the levy of rates for the purpose of sending the people out of the country, and enables the Local Authority to become an emigration agent. I say that this is a dangerous power to confer, and the Government would do better to omit it.

*DR. McDONALD: I hope the Government will allow this matter to be further considered. I daresay it is in the memory of the House that at one time all sorts of influence, including that of the right hon. Gentleman the Member for West Birmingham, was used among hon. Members here for the purpose of getting up an emigration company, and that meetings were even held in this House for the purpose of promoting such a company; from which it is easy to imagine what sort of an

may be used in the future if this clause should pass. What, for instance, is to prevent the landlords of the Western Islands, when they meet together at Inverness or Dingwall, from proposing that certain parishes in Lewis or elsewhere should be depopulated under this clause, and the people sent abroad by means of the County Council? Alluding to the company I have referred to, the newspapers have found fault with us for not supporting it; and on making inquiries on the subject, I found that out of every £400 which might be advanced for emigration to America they would expect to be repaid about £2,500. If this is so, where is it all to end? I would suggest that if the Lord Advocate would consent to strike out the letter e from "emigration" and limit the clause to "migration," there would then be no opposition to it. In that case the money of a county would be used for migrating the inhabitants within its own boundaries, and there would be no objection to that.

MR. A. ELLIOT: I would put it to the House whether it is supposed that the crafters would have no representation on the County Councils capable of protecting their interests in this matter? Is it to be supposed that those who do not send representatives of their own class to this House are therefore unrepresented here? Why, then, should it be supposed that the County Councils would improperly discharge their functions in this or any other matter? Are the Scotch County Councils likely to be less fair than the English, and is it alleged that the English County Councils are making rash use of their powers? In my opinion, the judicious use of this clause would confer immense benefit on the country; but if there is any possibility of "migration" being included in it, I should be glad to give my support to that proposal.

*MR. ESSLEMONT: I would ask leave to move an Amendment to the clause—namely, in line 37, to omit the word "colonization," in order to insert the word "migration."

*MR. SPEAKER: The Amendment suggested by the hon. Gentleman could not be accepted at this stage.

MR. HUNTER: I would point out that while the Government have refused to give the County Coun-

Sir G. Campbell

cils a great many powers that would be indubitably good, they now insist, against the opinion of a large majority of the Scotch Members, on foisting on those bodies a power of a most objectionable character. At the present time there is an artificial prejudice against foreigners and foreign products; and yet the very men who protest against foreigners most loudly are the first to vote for emigrating the people to foreign countries. For my part, while I think that voluntary and spontaneous emigration is a very good thing, I altogether object to State aided and State-directed emigration. It is, in fact, a practical admission that our civilization is a failure, and that what the Socialists are saying is true. What could be more absurd and irrational than to bring up a large number of human beings to an age at which they may be useful to the country, and then to suggest methods by which they should be sent abroad? We have heard a good deal about the necessity for emigration from the Highlands; but having looked into the question, while I admit that here and there the population has increased more rapidly than in other places, I say that the whole of this story about the over-population of the Highland districts is sheer moonshine and nonsense. The evils met with in the Highlands are due to bad laws, and not to any grudgingness on the part of nature, nor to any excess of population. Moreover, I say that if anything could justify the turning of people out of the country, it would be impossible to devise a scheme more objectionable than that embodied in this clause. If you empowered the County Councils to spend money when, how, and where they might deem most expedient in emigration, something might be said for the clause; but what is it you do? Why, the Imperial Parliament is here made to suggest that County Councils should enter into financial arrangements with land companies, which are usually formed by a number of enterprising speculators, who go to the colonies and buy large tracts of land for nominal sums, and then come here and propose through the medium of the County Councils to send out an adult population capable of turning that land into valuable property. Why, Sir, this is neither more nor less than

Scotch coolie emigration for the benefit of another country. These emigrants do not go out as independent individuals, but are tied hand and foot, and placed at the mercy of the speculators. Why do the Government insist on this clause? The Scotch Members do not want it, though certain landowners would probably like to make use of it to their own advantage, through means obtained on the credit of the localities. If it is said the County Councils may be trusted not to abuse this power, I agree that this might be so in the case of the Lowlands; but in other parts it is very possible that by means of the *ex officio* members and the enfranchisement of a large number of ratepayers there might be a landlord majority who would do great mischief. Again, if this be a *bond fide* plan for assisting emigration, why not leave it free? Why thirl the people to the land companies? I remember receiving an invitation to attend a meeting, already referred to, under the auspices of the right hon. Gentleman the Member for West Birmingham, though I did not go, as I thought we ought not to mix up politics and land speculation. Nor do I think we ought to encourage these companies, which do harm not only to the Colonies, but to the people they send out, because those people go out loaded with debt, and bound to the land speculators under a monstrous and indefensible system. If the Government will give the County Councils power to deal with this matter with perfect freedom, their sincerity will then have been tested. This clause however, limits emigration to the Colonies. We all know that a large number of the voluntary emigrants do not go to the Colonies, but to the United States, and I object to the County Councils being limited as to the destination of the emigrants. The way this clause is worded seems to show that it is the result of influence brought to bear on certain persons in high quarters by land speculators, and I say let the action of the County Councils be free and untrammelled in the matter; at any rate, if it must be trammelled let it be for the benefit of the emigrants and not of the speculators.

MR. H. COSSHAM: I agree with the hon. Gentleman who has just spoken that it is delusive to speak of the over-population of the Highlands

information that has ever come home with reference to the position of the workers sent out to Canada. Their position is such that it may be said with truth that nothing would tempt them to come back and resume the life they have left behind them. So far then as the Scheme of Colonization which we have set on foot in connection with the workers sent out has gone it has been successful. The hon. Member takes about the idea of independence but in what position is these men left themselves? They find themselves in advance possession of a magnificent tract of 100 acres of land with every surrounding which tends to foster rather than to discourage the feeling of independence. Now, we consider that to see a colonization out and leave only migration would be to cripple the progress of the Government; and on that point we believe that if the County Councils take this question into consideration at all they will do so with infinitely more safety, with much greater security for the money advanced. If you assist a man to migrate simply, you lose sight of him and of the security that colonization is altogether different. The individual or the family is settled on the land under circumstances which imply a guarantee for the payment of the money advanced. We cannot therefore consent to fetter the discretion of the County Councils in this respect, striking at the power we propose to give them to assist colonization; and I must say the whole discussion has displayed an amount of distrust of the County Councils I should hardly have expected from hon. and learned Gentlemen who have, in other directions, been so excessively anxious to extend the power of County Councils. The assumption is that, in reference to colonization, County Councils will totally disregard the interest and welfare of the people in their county, and enter into some kind of combination with persons or bodies of persons for the purpose of depopulating their own county and sending their people abroad in order to make their position worse. Well, we have greater confidence in the representative body we propose to set up. We say that to confer on County Councils in England those powers and in the same breath to say we have not

sufficient confidence in the County Councils we are seeking up in Scotland to give them similar powers, shows an amount of distrust with which we have no sympathy. The hon. Member proposes to strike out colonization and put in migration; the hon. Member is so tender of the feelings of the ratepayers that he will not give the County Council power beyond migration. Now, what would have to be done if the hon. Member had his way? He speaks of only enabling the people to go from one part of the country to another, but that is not all that is involved under the term migration: that in itself would do the people no good unless you are prepared to settle them upon land in another part of the country. It would be of no earthly use simply to pay their railway fare from one part of the country to another where they might be in even a more wretched condition than before. Migration means not only assisting the people from one part of the country to another, but the purchase of land to settle them upon. What would be the position of the ratepayers having to purchase land at home instead of getting land in Canada for nothing at all, and where the people would be settled with every reasonable expectation of being able in a few years to repay all the money advanced? We cannot assent to the Amendment; we cannot assent to the proposition that migration is better than colonization; we cannot assent to the proposition that colonization is bad in itself. Nor can we assent to the proposition that underlies the whole of this proposal, which implies the existence of a distrust of County Councils shown by hon. Members opposite.

MR. MARJORIBANKS: The right hon. Gentleman has administered a lecture to my hon. Friends that I think was entirely uncalled for, and he has waxed very wroth over the definitions of colonization, emigration, and migration, but it seems to me the subject did not require all this, and that it might have been dealt with with some of that urbanity we have been accustomed to from the right hon. Gentleman in discussions upon Local Government. My object in rising is to suggest a compromise to my hon. Friend. I do not see that we advance matters very much by drawing subtle distinctions between emigration and

Mr. Ritchie

colonization, and I think we might accept the Division just taken as the decision of the House that emigration and colonization shall stand together. What I would suggest to right hon. Gentlemen opposite is that they should meet my hon. Friend so far as to agree to want the migration in addition to emigration and colonization. The right hon. Gentleman says that migration means much more than the conveyance of people from one part of the country to another, but does not the same definition apply to emigration? You will not say our duty is fulfilled by simply transporting people across the Atlantic and leaving their settlement there to chance. I have some small knowledge of the Highlands, though that may have been acquired in following pursuits that do not altogether meet the approval of some of my hon. Friends, but I can assure them that even sportsmen have their sympathies, even sportsmen are desirous of benefiting the people among whom they dwell and with whose assistance they enjoy their sport. My belief is that there is ample room for the people of Scotland to find holdings and for the sportsman to have his sport in Scotland. I do not believe that the two things are necessarily incompatible. From all I have seen and heard I believe that the very greatest benefits would accrue to the Highlands from an efficient system of migration that would relieve the congested districts and settle the people removed in some other part of the Highlands. It is work that might readily be undertaken by a body like the County Council, either within their own county or in conjunction with another County Council from one county to another. I think if my hon. Friend would modify his Amendment as I suggest, introducing the word "migration" and leaving the other words, it would receive the support of Scotch Members from both sides.

MR. ILLINGWORTH (Bradford): I was a little surprised at the right hon. Gentleman the President of the Local Government Board reserving all his energies until the last moment, and then getting into a fit of enthusiasm about trust and mistrust of the County Council. Why, all through the progress of the English measure the right hon. Gentleman and his colleagues were continually seeking to curb the power of

the County Councils. Never a question comes before the House as to the powers of borrowing to be allowed to a municipal body, though the outlay contemplated may be for the most substantial purposes, but every disposition is shown by the right hon. Gentleman to restrict those local powers, though they may be in relation to essential matters in which the locality would be greatly benefited—in reference to water supply, gas, roads, sewage, or any purpose of general utility for the people in relation to whom the municipal body may have duties to discharge. I confess I am amazed that the right hon. Gentleman has not attempted to grapple with the enormous power it is by this clause proposed to give to the County Council. The Lord Advocate, in dealing with another point, pointed out how unfair it was to fix upon one branch of a subject and not look at the whole question, in which one part balanced the other. Now, here we have the two questions of emigration and colonization; they cannot mean the same thing or the two words would not be used, and I say is there not a possibility that in some particular County Council there may be some influential members largely interested in some scheme of colonial colonization, and will they not use their influence for the purpose of inducing the County Council to embark upon this policy of lending and borrowing on the security of colonial land? It is, to my mind, a highly dangerous policy for a County Council to follow. Without for a moment indulging in any hint or suspicion of anything of a corrupt character, I cannot but regard this proposal as most dangerous for a County Council. Of course English Members have left these discussions to Scotch Members to a great extent, but this proposal goes far beyond anything we have in the English Local Government Act ["No, no."] Notwithstanding these expressions of scepticism I repeat there never has been made under any English Bill a proposal to enter into such a scheme of foreign land purchase and taking security from abroad. There is no more safety in such a proposal for Scotland than for England, and, going so far afield from local government in this Bill, there is no telling where we may not be ultimately landed. Why, after the restrictions we have placed upon Municipal

and County Governments in England. Should we raise the value of the estates of these British County Councils and also those of the respective municipalities as they pass? I hope a Division will be taken on this waste proposition.

DR. CLARK: I am sorry the President of the Local Government Board has gone, because I was about to say that if he would accept the same definition of emigration as he has given us of migration, that we would accept the phraseology if he would only give us the thing we want. I take it the last Division was in favour of emigration, and we are committed to emigration. I have no objection at all to emigration, for I believe the colonies have a greater future than the mother country. I do not object to Scotchmen going to strengthen the colonies. I only ask that you should, while you send away the people from the congested districts to cultivate these prairie lands, also promote the cultivation of our waste lands at home. I have no objection to foreign colonization if we have home colonization too. I look at this matter from a practical standpoint. You have congested districts in the Highlands, and you have not far off wide belts of more or less fertile land where men have been cleared in the past to make room for sheep. This clearance of the land for sheep raising was the original cause of the congestion. It was supposed that sheep would pay better than land. But the Highland landlords have long since discovered the blunder that was made, and they do not get any economic return for their land from the southern people who come North. I do not object to sport. I like sport myself; but I do not think a Yankee alternately drinking champagne and shooting deer constitutes sport. True sport is never without some element of danger. The value of land in the Highlands, the seat of sporting estates, has fallen rapidly and is falling.

*MR. SPEAKER: The hon. Gentleman is dealing very discursively with the question before the House. He can scarcely raise the whole economical question of rent and land value on this question.

DR. CLARK: I will not, Sir, enter into it more fully. All I wish to do is to point out the advantages of a system of migration from the congested districts to districts where land purely occupied

by tenants is falling in value. This migration would relieve the crowded districts, increase the value of the estates, and add to the wealth of the county and the country. It can be done with ample security. There are numbers of estates the value of which has greatly fallen which the County Council could buy, and upon which they could settle the people they migrate from the congested districts. I know this is the case in Caithness, and I believe it is so elsewhere. Why, then, should the only outlet be Canada, British Columbia, and other colonies, while land can be acquired at home, and where the security is ample and more under your control than land in the Colonies? All I ask is that the people should have a choice, that those should go to Canada or other Colonies who wish to do so, but that others should have the chance of recultivating the land upon which their fathers lived, land now lying waste, and restoring it again to fertility, to the increase of its value, and the increase of the trade of the country. I am not objecting to emigration; all I say is, give a man the choice of settling upon land at home, or of being expatriated. Whatever reasons there are in favour of emigration apply with greater force to home colonization.

SIR G. CAMPBELL: I hope the suggestion of the right hon. Gentleman, the Member for Berwick, will be accepted. I do not object to the word colonization as likely to do much harm. I am inclined to think it is surplusage, because you cannot colonize a man until you have emigrated him. The right hon. Gentleman, in enlarging upon the advantage of colonization in Canada, left out of view the field for emigration in Iowa and Dakota. I am not quite sure whether, if you assist a man there, it would come within the scheme of colonization. Indeed, my objection to the word colonization is, that it smacks of land companies and jobbery. I would have preferred to have the word left out, but since we are to have it, then I think we might very well accept the amended suggestion of my hon. Friend the Member for Berwick, and add migration. I should just like to say a few words on the statement of the right hon. Gentleman when he spoke of the result of crofter emigration. He has anticipated what may be done by the

Mr. Illingworth

Crofter Committee. The work has only just begun, and it is much too early to speak of this emigration as a tremendous success, as he has done. What evidence there may be I do not know, but this I do know, and I can say emphatically and without hesitation, that the people who emigrated from the crofter districts were not of the poorest class, but they were comparatively well-to-do. There was no attempt to select the poorer people, and so to give relief to the congested districts of the Mother Country. The emigration was carried out by a Government Agent and an Agent of the Colonial Government; and the Colonial Agent practically selected those who were to be sent out, and they were selected as being likely to benefit the colony rather than to benefit the Mother Country. It is absurd, after an experience of a few months, to speak of this scheme as a success. It must be tried for years, and then we shall be able to decide upon the success of it. At present it has been tried only upon a very small scale and with selected emigrants; and these few people have been petted, made much of, and cared for on the other side of the Atlantic, as being a sort of decoy ducks of the Emigration Agent and the speculative land companies. So far, there has been no fair test. As to migration, I think that something might be done by doing as my hon. Friend the Member for Caithness suggests, and populating those places at home which have passed out of cultivation. My hon. Friend says that in Caithness there are many estates that can be availed of for this purpose, and for this Caithness is eminently suited. It has a soil something like the Orkneys, where we have a model system of small cultivation successfully established. I do not see why, with a good system well carried out, we might not make of Caithness another Orkneys. Migration need not absolutely be confined to agriculture, I really do not see why we should not migrate people to Glasgow, where they would have an opportunity of usefully employing their labour. Glasgow wants labour and cannot get good Scotch labour; Glasgow is too full of Irishmen, and I daresay the same might be said of many other towns. Certain it is that we have admirable material for labour

in the Highlands. I do hope Her Majesty's Government will agree, while they insist upon retaining colonization, to add this word migration.

MR. CALDWELL: This Amendment involves two things; the omission of colonization and the substitution of migration. Now the objection to colonization is, that it takes from the country, and not from the poorest of the country, a certain amount of labour and energy, the development of which takes place in another country, and the value of which goes to that new country; it is of no benefit to the country from which the emigration takes place. Now in the case of migration what we claim is that it is for the benefit of the district from which the labour is removed, and it is equally of benefit to the district to which the labour is transferred, and that you do not only take away the most active among the people but you can remove the most necessitous also. We ask that the people should be retained in the counties, and that the money should be lent by the County Councils for the purpose of developing the counties themselves and promoting the prosperity of the people within them. There is the greatest distinction to be drawn between giving the County Councils authority to lend money that is to be taken abroad for the purpose of developing a foreign country, and migration, which means the development of the country itself and the spending of money under the eye and supervision of the Local Authority. The President of the Local Government Board says we are anxious to limit the powers of the Councils, and that was rather a curious statement to come from him, seeing that while he is ready himself to give the Councils power to send the people abroad, he refuses to give them power to migrate the people to different parts of Scotland. He is ready to give power to carry out the policy of his own party, which is to send people out of the country. What is the clause we are going into Committee on? It is a clause authorizing the County Council to give advances on account of allotments. If that is adopted, why should we not give the County Councils at the same time power to migrate the people to these very allotments the Councils are to acquire? It cannot be said that

Scotland is over-populated, seeing that we are only 4,000,000, spread over a large territory. We have plenty of room for migration, and we say that before giving the people facilities for emigration and colonization, we should take into consideration the large extent of territory that is available in Scotland itself for migrating the poorer classes from the islands to the main land. All I want is, that if the County Councils are to have powers in the direction desired by hon. Gentlemen opposite, they should also have powers in the direction we desire.

*MR. PROVAND: I would ask leave to withdraw the Amendment.

*MR. SPEAKER: Is it your pleasure that the Amendment be withdrawn? [*Cries of "No."*]

The House divided:—Ayes 114; Noes 74.—(Div. List, No. 248.)

DR. CLARK: I desire to move to insert "and migration," so as to enable the County Councils to advance money for migration.

*MR. SPEAKER: The hon. Member cannot make that Motion. If the last Amendment had been merely to omit "colonization," an opportunity would have been afforded subsequently of moving to insert "migration"; but as the Amendment was to omit "colonization," and insert "emigration," and as that has been negatived, the hon. Member cannot, by the Forms of the House, make the Motion to which he refers.

MR. FIRTH: Would it not be possible to put in the words "at home and abroad" after "colonization"?

*MR. SPEAKER: No; that would simply be an evasion of the Rules of the House.

On Motion of The LORD ADVOCATE, the following Amendments were made:—Clause 65, page 43, line 1, leave out "the said Acts," and insert "this Act"; Clause 65, page 43, line 3, after "borrow," leave out to "year," inclusive, in line 5.

MR. CALDWELL: I have an Amendment on the Paper that Section 67 be omitted, and I refer to it for the purpose of calling the attention of the Lord Advocate to a suggestion as to the County Auditor. In Scotland we have an Accountant to the Court of Session

Mr. Caldwell

who is a paid Government official, and I leave it to the Lord Advocate to say whether this person should be referred to here or not. Without moving my Amendment, I would refer to the next proposal to leave out "seven" and insert "fourteen." The accounts of the County Council are to be open to the inspection of the ratepayers seven clear days before the audit; but in Sub-section 4 we find that the ratepayers must lodge complaints six clear days before the audit. That only gives one day for lodging complaints. If you are going to hold to that six days, then you should at least have the accounts open for inspection 14 days before date to give a reasonable time for the examination of the accounts.

Amendment moved, page 44, to leave out Clause 67.—(*Mr. Caldwell.*)

Question proposed, "That Clause 67 stand part of the Bill."

MR. J. P. B. ROBERTSON: We have had an immense number of communications from officials conversant with the subject, and this point has never been alluded to. Therefore, I should not think it necessary to make any alterations in the clause.

MR. HUNTER: The right hon. Gentleman can hardly have followed this with his usual close attention. A ratepayer making an objection must give notice six clear days before the audit, and these accounts are only accessible to him seven clear days before the audit. So that having only one day at his disposal it is clear he cannot make objection.

MR. J. P. B. ROBERTSON: I should be quite ready to consider the point, but I thought the hon. Member's observations applied to the first point. The hon. Member addressed himself in the first place to Clause 67. On the second point I am willing to meet the hon. Gentleman.

*MR. SPEAKER: The Question before the House is to leave out Clause 67.

MR. CALDWELL: I withdraw that Amendment, by leave, withdrawn.

Amendment proposed in, Clause 68, page 45, line 30, leave out "six," and insert "two."—(*Mr. Caldwell.*)

Amendment agreed to.

On Motion of Mr. J. P. B. ROBERTSON, the following Amendments were made:—Clause 71, page 48, line 38, leave out "or road trustees;" lines 40 and 41, leave out "or road trustee;" page 49, line 8, leave out sub-section (8); line 8, after "councillors," insert "or members of district committees;" Clause 74, page 50, line 15, after "purpose," insert "of this Act;" Clause 75, page 51, line 23, after "districts," leave out to "highways," inclusive, in line 24; leave out line 26, and insert—

"in the case of a county containing fewer than six parishes, or which has not been divided into districts for the purposes of the management and maintenance of highways therein."

MR. CALDWELL: The next Amendment is rather an important one, its object being to provide that the District Councils shall consist of elected members of the County Councils alone, and that there shall be no representation by delegates from the Parochial Boards. The Lord Advocate himself, I think, has supplied to us the best reason for the Amendment, as he says he wishes to have continuity of policy as regards the Commissioners of Supply. Well, as regards the Parochial Boards the reason for taking the administration of the Public Health Act out of their hands is that they have mismanaged the matter, and yet the proposal is that the Parochial Boards shall have an equal, if not a greater voice, with the County Councils in dealing with matters which the Lord Advocate says shall be dealt with on the District Councils. At present the members elected to the Parochial Boards consist for the great part of owners. You have, as a rule, some 20 owners to seven ratepayers, so that the members selected by the Parochial Boards will be representative of owners, and will be able to swamp the members elected by the ratepayers. The object of the Amendment is to prevent that being done.

Amendment proposed, in page 51, line 30, to leave out from the word "districts," to the word "district," in line 32, inclusive.—(Mr. Caldwell.)

Question proposed, "That the words proposed to be left out stand part of the Clause."

MR. J. P. B. ROBERTSON: I rise mainly for the purpose of saying that this was one of the questions most carefully, deliberately, and repeatedly discussed in Committee. The hon. Gentleman has added nothing to the arguments which were addressed to the Committee, and I do not think I should be justified in occupying the time of the House by going fully into the matter.

DR. CLARK: I hope the Government will make some modification in the clause. This matter was somewhat sprung upon us, the number of County Councillors being given to us late in the day. We have since found that some of the counties will only have four or six parishes with 20 Councillors, while in others you will have twice as many parishes as members of the County Council. Some parishes should have more than one member on the District Committee. I had hoped that we might have had some of the parishes grouped, and not have had a parish of a quarter of a million inhabitants with one representative. But there seems to be no relation between taxation and representation, and you merely take the counties, some with 50 or 70 parishes, and some with only six parishes; so that, in some cases, the elected County Councillors number four times the number of the members for Parochial Boards, while in other counties the members for Parochial Boards number two or three times the number of the elected Councillors. I had hoped that the Government would have done something to prevent the County Councillors being entirely swamped in those counties where there are a number of small parishes.

SIR G. CAMPBELL: Sir, sometimes one is excited at night, and the morning brings with it reflection. The more I think of this matter, the more I think that Parish Councils are unnecessary; and it seems to me that you are spoiling the measure by introducing an unequal and unnecessary element, an element which is not fairly representative because it is not uniform.

*SIR W. FOSTER: I would appeal to the right hon. Gentleman to re-consider this matter. The more I have thought of it the more I am convinced that the scheme will not work satisfactorily in the interests of the public health. I am

very anxious that the initiative in this work connected with the public health should be given to the County Council, and that the power of outvoting should not be given to three or four or half-a-dozen representatives of Parochial Boards. It happens in rural districts that certain of the members may be interested in the very cottages proposed to be improved because of their unsanitary condition, and they obstruct, and the work is not done. In England this difficulty is constantly cropping up. Whole ranges of property are pulled down, and the people are driven to the outskirts of the town or into villages because it would cost the owners more money to put their property into a sanitary condition than they think worth, considering the profits derived from it. If you have an unequal representation like this of different interests in different parts of the country, you will have the work done efficiently in some places and inefficiently in others, and you will have friction and dissatisfaction which will necessitate sooner or later the revision of the Bill, after it has become an Act. On this ground I ask the Lord Advocate to give some further consideration to this subject.

The House divided :—Ayes 143 ; Noes 86.—(Div. List, No. 249.)

MR. HOZIER (Lanark, S.): There is very naturally a strong objection to fighting over again questions that have been already decided in Committee, but this question of the appointment of Assessors was never discussed in Committee at all. It therefore affords an instance of the usefulness of the Report stage. There is no more persuasive speaker than the right hon. Gentleman the Lord Advocate, but he is also able to realize that there are moments when silence is not only golden, but very golden in Committee, and in moving the insertion of the words to which I object he made no regular speech, but merely said—"I move, Sir." Yet by these words he effected an entire revolution in the relations that have subsisted since 1857 between the counties and burghs on the one hand, and the Treasury and Inland Revenue Department on the other, in regard to this matter of the appointment of

Assessors. According to the new proposal we shall have in future to go cap in hand to the Treasury to ask as a favour that which hitherto we have demanded as a right. The original Act for the valuation of land in Scotland was passed in 1854; but there was an amending Act passed in 1857, to which I specially refer. The first clause of the latter Act says :—

"It shall be lawful for the Commissioners of Supply of each county and the Magistrates of each burgh in Scotland, respectively, if they shall think fit, to appoint the officer or officers of Inland Revenue, having the survey of the Income Tax and Assessed Taxes within such county or burgh to be the assessors or assessor for the purpose of the said Act; and such officer or officers, when so appointed, as long as such appointments remain unrecalled, shall in all respects and for all the purposes aforesaid, stand in the place of and shall have, use, exercise, and perform all the powers and duties of the person or persons whom the said Commissioners and Magistrates respectively are authorized to appoint for like purposes, under or by virtue of the third section of the said Act; and in such case the expense attending the making up of valuation rolls by such officer or officers shall be defrayed by the Commissioners of Inland Revenue, or as the Commissioners of Her Majesty's Treasury shall direct in that behalf."

There is good reason to believe that this was proposed by the Board of Inland Revenue themselves, because they were anxious that there should be uniformity of valuation and taxation. 30 counties and 45 burghs have availed themselves of the permission accorded in this Act, and have employed the surveyors of Inland Revenue as Assessors for the purposes of the Act of 1854. The advantages of this arrangement are, in the first place, economy. The work has only to be done once. In the second place, there is the advantage of uniformity, as between taxation and rating. Only one Return is required from one official, instead of people being pestered by double applications for double returns. Moreover, there is only one tribunal to which appeals have to be made in case of dissatisfaction. If the Lord Advocate's Amendments, which were introduced in Committee, are allowed to stand, the option will no longer remain with the public. It will actually be in the power of the Inland Revenue to deprive the counties and burghs of the services of the Surveyors at once by moving them from district to district, and so compelling a county or burgh to apply to the Treasury

Sir W. Foster

for permission to employ those appointed to succeed. This is in no way a Party question. I hope to have the support of Members in every quarter of the House. Finally, and most emphatically, let me point out that the whole question is still *sub judice*. A Committee on Rating and Valuation in Scotland is sitting, and has not yet reported. That Committee has had this very question before it; and, as far as indications go, there is not much likelihood of the Report being in favour of the view taken by the Treasury, and embodied in the words which by my Amendment I propose to omit. I beg now to move my Amendment.

Amendment proposed, in page 54, line 17, to leave out from the word "office," to the word "burgh," in line 26, inclusive.—(*Mr. Hosier.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. FIRTH: I think the Government ought to have consulted the Local Authorities before insisting upon a change by which they will be so materially affected. I would suggest that the whole matter might very well be postponed, as it does not appear to be at all germane to the present Bill.

MR. THORBURN (Peebles and Selkirk): It appears to me that this is an insidious attempt on the part of the Treasury to evade a responsibility which at present belongs to them.

MR. J. P. B. ROBERTSON: I can quite confirm what has been said as to the admirable manner in which the existing arrangements have worked. But, Sir, the position of the matter is this—the Assessor's duties are not entirely local. He has to make up the county valuation roll. Formerly the counties paid for that; but the Treasury, finding that roll to be the basis of taxation, entered into the arrangement now embodied in the Act of Parliament. They said to the Local Authorities—if you take an officer of Inland Revenue, then we shall pay the cost of making up the valuation roll. Over and above that there comes the Act of Parliament which makes the Assessor the official to make up the Parliamentary register. That, again, is a purely county function. For the expense of making up the

valuation roll where an Inland Revenue officer is employed, the Treasury pays; but of course for the registration it does not pay, and there you have this present arrangement—that the officer of Inland Revenue, who is primarily paid by the Treasury for his whole time, is also, to a certain extent, the servant of the Town Council. The Treasury have no desire to terminate the arrangement; but the present change of functions in regard to county administration has suggested this alteration. You have, as incident to the change in county administration, yet another roll of voters to be made up, and the duty of making it up falls by Act of Parliament upon the Assessor. That implies more attraction towards the County Authority as his masters, and more remuneration for him from that quarter, and accordingly it detracts from what I may observe is primarily his duty as an officer of Inland Revenue. Under the circumstances the Government have proposed these two simple changes. The first is that where the Assessor is an officer of Inland Revenue, any regulation made by the County Council with respect to his duties and conduct shall be subject to the approval of the Treasury. That means no more than that the County Council are not to assign to him duties that will detract, or take him away from his primary duties as an officer of Inland Revenue, without the consent of his paymasters. Now, is not that in itself a fair arrangement, there being a joint interest in this public servant? I think it is necessary that while one body has to pay him, the other ought not to be allowed to throw upon him any engagements which are inconsistent with his duties to his paymasters. The other recommendation of the Government provides that henceforth it shall not be lawful to appoint an Assessor without the consent of the Treasury, but it also provides that such consent shall not be necessary in the case of the re-appointment of an Assessor. Where you have got an officer of Inland Revenue acting as Assessor, the mere circumstances of his changing masters and of its being necessary to re-appoint him from time to time, will not bring into force the embargo by the Treasury. That seems to me to be only fair. It is provided, however, that if a County

hon. Members on both sides of the House who understand the huge evils that grow up under any system of pensions will help us in Scotland to protect ourselves from the introduction of a principle wholly foreign to our Scotch traditions, and in itself wholly objectionable.

MR. J. P. B. ROBERTSON: This subject is one very fairly open to consideration. The hon. and learned Gentleman is quite right in saying that there is no organized system of pensions in Scotland, and that the matter is open to consideration. The question is not matured for settlement with regard to the Departments of the Civil Service in Scotland, and it seems to me that the better way to deal with it will be to reserve it for consideration along with the more general question. I am, therefore, prepared to assent to the Amendment.

Question put, and negatived.

MR. CALDWELL: I beg to move the Amendment standing in my name.

Amendment proposed, Clause 82, page 55, line 10, after the word "office," to insert the words "but without any additional remuneration therefor."—(Mr. Caldwell.)

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: I think it would hardly do to provide that there should be no additional remuneration where there is a transfer of duties much more onerous than those originally imposed on the official. I think it would be better that the matter should be left to the County Council.

MR. CALDWELL: I should have thought that the Lord Advocate would himself have seen that this was reasonable. We have inserted the very same words with regard to other offices—namely, that the officials are to act without any additional remuneration.

Question put, and negatived.

MR. CALDWELL: I beg to move the next Amendment that stands in my name. This is one of those clauses that was passed the other night without any discussion whatever. I would merely point out that there are certain schools

Mr. Hunter

under certain schemes of the Educational Endowment Commissioners, where at the present moment they charge school fees in the elementary standards. The object of this clause is, that in all those schemes where school fees are paid for the elementary standards, the money shall be applied to those standards that are above the elementary standards. There is, however, one omission, and the object of the Amendment is to provide that all such schools should be placed in the same position as the Board Schools.

Amendment proposed, in page 55, line 2, after the word "school," to insert the words, "or in any school authorized under any scheme of Provisional Order."—(Mr. Caldwell.)

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: I cannot accept the Amendment, as it does not square with Clause 22.

Question put, and negatived.

MR. J. P. B. ROBERTSON: I beg to move the next Amendment standing in my name.

Amendment proposed in page 55, line 24, to leave out from the word "applied," to the word "enacted," in line 26 inclusive.—(The Lord Advocate.)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. BUCHANAN (Edinburgh, W.): I should like to have a word of explanation respecting this Amendment. As I understand the purport of it, those funds which are at present being applied in payment of school fees may in future be turned to any purpose which the Governing Bodies and the Scotch Education Department may approve, apparently without any restriction whatever. This is giving very wide powers to the public bodies and to the Education Department, and I would suggest that some direction should be given in the clause as to the purpose for which the funds should be used. I would also suggest that some provision should be introduced

for ensuring publicity and also providing for some right of appeal.

MR. J. P. B. ROBERTSON: I may say I am in substantial agreement with the hon. Member for Kirkcaldy (Sir G. Campbell) in the Amendment which stands in his name a little further down on the Paper. The object of the clause is simply this. We have set free certain funds which hitherto have been applied in payment of school fees. It is obviously desirable that no inference should be drawn from that, that persons who have received school fees are deprived of some of the benefits that have gone along with school fees in the administration of certain trusts. It is manifest that the funds which are set free ought to go to other purposes which are most like the payment of school fees; and the object of the clause is to carry this out.

MR. HUNTER: I have only one remark to make, and it is that I hope the Government will consider whether they cannot apply this surplus money in aid of continuation schools.

Question put, and negatived.

Amendment proposed, in page 55, line 29, at end, to add the words—

"Provided that when funds are allocated as aforesaid for elementary education those funds shall still be applied for elementary education, or for technical education of an elementary character, so long as there remains any elementary education for which fees are still exigible. If no fees are still exigible for such education, or if after paying any fees so exigible, and for books and stationery any surplus remains, the funds or the surplus so remaining shall be devoted to such other purposes (if any) included in the scheme, Provisional Order, deed or instrument as the governing body, with the approval of the Scotch Education Department, may direct."—(Sir G. Campbell.)

Question, "That those words be there inserted," put, and agreed to.

MR. CALDWELL: I beg to move to leave out "Christmas Day, or Good Friday," in line 26, and insert "New Year's Day." Christmas Day and Good Friday are unknown as Scotch holidays, and I do not see why we should introduce in a Scotch Bill words which really have no meaning in Scotland. New Year's Day,

which is really the great holiday in Scotland, is not mentioned at all. I do not see why we should follow the English Act so slavishly as to adopt these words.

*MR. SPEAKER: Amendment proposed, Clause 90, page 57, line 26, leave out "Sunday"—

MR. CALDWELL: No, no; Christmas Day, or Good Friday.

*MR. SPEAKER: Does the hon. Gentleman move "Sabbath?"

MR. CALDWELL: No, Sir.

Amendment proposed, in page 57, line 26, to leave out the words "Christmas Day or Good Friday," and insert the words "or New Year's Day."—(Mr. Caldwell.)

Question proposed, "That the words proposed to be left out stand part of the Bill."

SIR G. CAMPBELL: I hope this Amendment will be accepted. There is something to be said for Christmas Day, but Good Friday is an institution totally unknown in Scotland.

MR. HUNTER: I hope the Government will not put us to the trouble of a Division, for divide we must if they refuse the Amendment. I object to this system of attempting to Anglicise Scotch institutions. I do not object to the English people having Christmas Day and Good Friday, or whatever other days they wish; but the only day which is really kept as a holiday in Scotland is New Year's Day.

The House divided:—Ayes 180; Noes 110.—(Div. List, No. 251.)

Amendment proposed, in page 58, line 35, after the word "election," to add the words—

"Or the limits within which the valuation roll for a county or burgh is made up as at the passing of this Act, or the right of assessing for the cost of making up such valuation roll or the register of Parliamentary voters for any county or division or burgh."—(The Lord Advocate.)

Amendment agreed to.

Amendment proposed, in page 59, line 22, at end of Clause 97, to insert the words—

"But the inhabitants and ratepayers of such police burgh shall cease to be liable to be rated or assessed by the County Council under the Public Health Act."—(*Mr. Caldwell.*)

Amendment negatived.

Amendment proposed, leave out Clause 100.—(*Mr. J. P. B. Robertson.*)

Clause omitted.

Amendment proposed, in Clause 102, page 60, line 38, to add as a new paragraph—

(Definition of population.)

"Wherever in this Act reference is made to the population of burghs or police burghs, such reference shall be deemed to be made to the population according to the Census of 1881, unless it shall be established to the satisfaction of the Secretary for Scotland within 10 days after the passing of this Act that in the case of any burgh or police burgh it has a larger population as at the passing of this Act, and in any such case such reference shall be taken to be to the larger population so established."—(*The Lord Advocate.*)

DR. CLARK: This amounts to a revolution in some of the provisions of the Bill, and I think the Lord Advocate might tell us how it is proposed to determine the question of population if there is not to be a census.

MR. J. P. B. ROBERTSON: I have explained this, I think, about six times, and the proposal has met with no opposition. We propose a much more flexible system than that of taking the figures of the last census. It is proposed that the Town Clerk shall produce that moderate amount of information that will satisfy the Secretary of State that, upon a reliable calculation, the figure is as stated. I do not imagine that Town Clerks will find any difficulty in doing this.

*MR. CAMPBELL-BANNERMAN: Will the right hon. Gentleman consider whether 10 days after the passing of this Act is not too brief a period wherein the Town Clerk is to make his representation?

MR. J. P. B. ROBERTSON: No doubt at first that would seem so; but it is necessary to set the machinery going as soon as possible after the passing of the Act; but, in order to obviate any difficulty, the Town Clerks and other

officers of the burghs interested will be communicated with before the Act passes in order to give them time to make the necessary preparations.

*MR. ESSLEMONT: Will any assistance be given to the burghs in the way of suggestion as to how the Secretary of State may be satisfied? A census will be an expensive process, and it will be difficult for a burgh to carry it out. Will any regulations be laid down by the Scotch Department in the matter?

MR. J. P. B. ROBERTSON: It is irregular for me to say anything more, but I may just add that there will be no pedantic adherence to rules in the case, and we shall be glad to give any assistance by suggestion.

*MR. ESSLEMONT: I am quite satisfied.

Amendment agreed to.

Amendments proposed, in Clause 103, page 61, line 9, after "recited," insert "or under the provisions of any local Act"; line 12, after "part," insert the expression "Highlands and Islands of Scotland," shall mean the counties of Argyll, Inverness, Ross and Cromarty, Sutherland, Caithness, Orkney, and Zetland; line 18, leave out "except where otherwise expressly provided"; line 21, after "Acts," insert "or the Valuation Acts," as the case may be; leave out lines 22, 23 and 24, line 29, after "be," insert as a new paragraph; the expression "The Valuation Acts" means the Act of the seventh and eighteenth Victoria, chapter ninety-one, and any Acts amending the same.

Amendments agreed to.

MR. CALDWELL: In Clause 104 I beg to propose the addition of the word "up" after "fill." [*Laughter.*] The object of my Amendment, which appears to afford hon. and right hon. Gentlemen so much amusement, is to correct an accidental omission. The words run "and may from time to time fill any

vacancy." Of course it should be "fill up" any vacancy. [*Laughter.*]

Amendment proposed, Clause 104, after "fill" insert "up."

MR. J. P. B. ROBERTSON: The sympathy in the House with the Amendment is so universal that I feel it would be in vain I should attempt to resist it. [*Laughter.*]

Amendment agreed to.

Amendment proposed, Clause 106, page 64, line 21, leave out "meeting," and insert "and second meetings."—(*Mr. Caldwell.*)

Amendment negatived.

DR. CLARK: I have to move the omission of Clause 107, and I do so because it contains what I recognize as the thin end of the wedge for the introduction of English Aldermen. The right hon. Gentleman the Lord Advocate has taken credit for the fact that in Scotland we would not hear of Aldermen in connection with this Bill, but now we have a proposal that there shall be a larger number of non-elected members than you have in some of the English County Councils, and in a considerable number of Scotch counties there will not be more than 20 elected members. The Commissioners of Supply will provide four members, but the Commissioners of Supply are not an elected body; they sit by right of property qualification, and the number four is, I think, out of all proportion. The original project was to add the Convener of the county, the Lord Lieutenant, and the Chairman of the County Road Trustees. To two of these I have no objection, but see how the arrangement will work out in Caithness. The Lord Lieutenant (the Duke of Buccleuch) was appointed a few days ago the Chairman of the County Road Trustees; he is also the Convener of the county, and so, practically of the four Councillors appointed by the Commissioners of Supply, there will be only one who will have any practical acquaintance with the business of the county. With the increased power given to County Councils in regard to emigration, there might be danger in having so many nominated members on the Council, but I hope we shall be able to fight them upon that point should it arise. It is simply because I think the number of four is too many nominated members

to have on the Council I oppose Clause 107, and move its omission.

Amendment proposed in page 65, line 4, to leave out Clause 107.—(*Dr. Clark.*)

Question proposed "that Clause 107 stand part of the Bill."

MR. J. P. B. ROBERTSON: I admit the importance of this question, but it has twice been thoroughly discussed in Committee, and I cannot say that the hon. Member has advanced any argument of a novel character that should induce me to enter into the controversy again. I do not think any useful purpose will be served by my doing so. Of course, if the hon. Member thinks that after the decisions at which the Committee has arrived it is his duty to divide the House, he will be within his right in calling a Division.

Question put, and negatived.

It being midnight, further proceeding stood adjourned.

Further proceeding to be resumed to-morrow.

REGULATION OF RAILWAYS BILL.

(No. 333.)

SECOND READING.

Order for Second Reading, read.

SIR MICHAEL HICKS BEACH: I ask the permission of the House to make a short statement as to this Bill. The Bill has been introduced for the purpose of enabling the Board of Trade to enforce the adoption of certain precautions and certain modes of working which we regard as greatly in the interest of the Public Service, among them being the block system, the improved coupling system, and the substitution, where necessary for the public safety, of bridges for level crossings. I am aware that it will be quite impossible to pass the Bill this Session if it is really opposed. I have had several communications on the subject from hon. Members, and I regret to say that I have found very large and persistent opposition to our proposals with regard to the coupling system. It will, therefore, be impossible for me to proceed with that part of the Bill this year. If the Bill is read a second time to-night I will undertake in Committee to strike out the coupling clauses and to fix the Com-

mittee for next week. I beg to move the second reading.

An hon. MEMBER: I object.

Postponed until to-morrow.

PASSENGER ACTS AMENDMENT BILL
[LORDS.] (No. 327.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again this day.

LIGHT RAILWAYS (IRELAND) BILL.
(No. 261.)

Order for Committee read.

*MR. A. J. BALFOUR: I beg to move that the order for Committee be discharged, and that the Bill be referred to the Grand Committee on Trade.

MR. BIGGAR (Cavan, W.): This is a very technical Bill, and raises very important issues, and as many Irish Members on both sides of the House take a special interest in the Bill, I hope it will not go to the ordinary Committee.

An hon. MEMBER: I object.

Postponed until to-morrow.

STEAM TRAWLING (IRELAND) BILL.
(No. 335.)

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again this day.

MOTION.

PAYMASTER GENERAL BILL.

On the Motion of Mr. Jackson, Bill to amend the Acts relating to the office of Paymaster General, and to make better provision for the discharge of the duties of that office, ordered to be brought in by Mr. Jackson and Mr. Chancellor of the Exchequer.

Bill presented, and read first time. [Bill 348.]

INTERMEDIATE EDUCATION (WALES)
BILL. (No. 4.)

Considered in Committee.

Clause 3.

Amendment proposed, in page 1, line 14, to leave out the words "County Council," and insert the words "joint

Education Committee, as hereinafter mentioned."—(*Sir William Hart Dyke*.)

Question proposed, "That the words 'County Council' stand part of the clause."

*THE VICE-PRESIDENT OF THE COUNCIL FOR EDUCATION (*Sir W. Hart Dyke*, Kent, Dartford): When this Bill was last in Committee we were discussing the question of a joint Education Committee. Since the last discussion I have had the opportunity of seriously discussing the situation with my colleagues, and, looking to the fact that the Amendments proposed by the Government will make a vast and comprehensive change in the whole system of intermediate education in Wales, Her Majesty's Government have come to the conclusion that there is something just and fair in the objections which have been urged from both sides of the House, and therefore we are prepared to consent that the joint Education Committee shall consist of five members, three to be appointed by the County Council and two by the Privy Council. When we come to Clause 6 I propose to amend it in that way.

Question put, and agreed to.

Several Amendments agreed to.

Amendment proposed, Clause 5, page 3, line 10, leave out from "taught," to the end of line 24, and insert—

"To a scholar attending as a day scholar at the school established or regulated by a scheme and that the times for prayer or religious worship or for any lesson or series of lessons on a religious subject shall be conveniently arranged for the purpose of allowing the withdrawal of a day scholar therefrom in accordance with the said Section 15."—(*Sir W. Hart Dyke*.)

Question proposed, "That the words proposed to be left out stand part of the question."

*MR. STUART RENDEL (*Montgomeryshire*): I hope that when his Bill is re-committed the Government will re-consider one of these words—I mean the word "day" before "scholar," which one word "day" I beg the Government to omit. The question of boarders is one about which the feeling is very strong in Wales. The Amendment, as it stands, would take away the protection which we wish to confer on boarders. I hope it may be possible to leave out the word "day."

Sir Michael Hicks Beach

MR. OSBORNE MORGAN (Denbighshire, E.): I think the right hon. Gentleman would be rightly advised if he acceded to this request. He is hardly aware of the great amount of feeling which this matter has excited in Wales.

*SIR W. HART DYKE: I appreciate the point which has been raised, but I cannot accept any Amendment virtually tending to widen the clause, which already extends the Cowper-Temple clause to day schools. If this is merely a question of verbal Amendment, so as to give better effect to the existing provisions of the Endowed Schools Acts, I will consider the point. I cannot undertake to extend the clause.

MR. T. ELLIS (Merionethshire): May I appeal to the right hon. Gentleman? I think it would be rather hard if a Nonconformist child were a boarder at a school in Wales and were compelled to attend lessons on any religious subject in connection with some other religious denomination. It would be a very small change in the Bill to allow the child to be withdrawn from such instruction.

VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): I certainly hope that the proposed change will not be made. Though I do not belong to Wales I care for the interests of the denominational schools, and I certainly think that the right hon. Gentleman has already gone to the extreme limit of what he ought to do.

MR. MUNDELLA (Sheffield, Brightside): The intervention of the noble Lord appears to me to be singularly unfortunate. The right hon. Gentleman's Amendments have changed the character of this Bill, considering the sharp collisions there are between Nonconformists and the Church in Wales. I think this clause should be allowed to extend to Board scholars as well as day scholars. The Welsh people do not object to religious teaching because there is no part of the Queen's dominions where such teaching is more given than Wales, but they do object to any particular denominational teaching being given to children whose parents object to it.

MR. G. T. KENYON (Denbigh, &c.): The noble Lord (Viscount Cranborne) has thrown an apple of discord into the debate, although he does not appear to know much about the question. I think the suggestion made from the other side of the House is well worth the consideration of the right hon. Gentleman, and I would suggest that the matter should be left open for consideration at the Report stage.

Question put, and negatived.

Question, "That those words be there inserted," put, and agreed to.

Other Amendments agreed to.

Clause 6,

*SIR W. HART DYKE: I beg to propose the Amendment standing in my name.

Amendment proposed, in Clause 6, page 3, line 34, leave out from "Act," to end of clause, and insert—

"There shall be appointed in every county in Wales a Joint Education Committee of the County Council of such county, consisting of three persons nominated by the County Council, and three persons, being persons well acquainted with the conditions of Wales and the wants of the people, nominated by the Lord President of Her Majesty's Privy Council."—*(Sir W. Hart Dyke.)*

Question, "That the words proposed to be left out stand part of the clause," put, and negatived.

Question proposed, "That those words be there inserted."

SIR HUSSEY VIVIAN (Swansea District): I desire to insert after "wants of the people" these words, "preference being given to persons resident in the county, for which such Joint Committee is appointed." I have communicated these words to my right hon. Friend, and I think he is prepared to accept them.

Amendment proposed to proposed Amendment, after "people," to insert—

"Preference being given to persons resident in the county for which such Joint Committee is appointed."—*(Sir Hussey Vivian.)*

Question proposed, "That these words be there inserted."

*SIR W. HART DYKE: Of course the Government of the day, who would be responsible for the working of this Bill, must appoint the very best persons either within or without the county. As far as these words are concerned,

however, I have no objection to that insertion as indicating that where it is possible to find two men in the county to represent the county that should be done.

SIR J. PULESTON (Devonport): Would not the same principle apply to the appointment of persons by the County Council?

*SIR W. HART DYKE: I would leave that equally open.

Question put, and agreed to.

Amendment, as amended, agreed to.

Clause 6, as amended, agreed to.

Amendment proposed, Clause 17, page 7, line 25, leave out from "children," to end of clause, and insert—

"Or, where the benefits of such endowment are divisible between two counties or between the counties in Wales, or any of them, and any place outside of Wales, then means so much of the endowment as the Charity Commissioners may determine to be applicable for the benefit of the county of the joint education committee."

"(2.) Any school or endowment of a school to which Section 75 of 'The Elementary Education Act, 1870,' applies, and any endowed school to which Section 3 of 'The Endowed Schools Act, 1873,' applies, shall, if the school is in the county of a Joint Education Committee under this Act, be for the purposes of the Endowed Schools Acts and this Act an educational endowment and endowed school within the county of such Committee."—(*Sir W. Hart Dyke.*)

Amendment agreed to.

*SIR W. HART DYKE: Perhaps I may be permitted to say a word with regard to the commencement of the operation of this Act. I find the County Council do not meet until November next, and they would then take action with regard to this matter. I would suggest, therefore, that the Act commence in November.

SIR H. VIVIAN: Our meeting is on October 17th.

*SIR W. HART DYKE: No doubt hon. Members will consult with regard to that.

*MR. S. RENDELL: I propose to move a new Clause, to the effect that the Charity Commission should report annually to both Houses of Parliament the proceedings under this Bill during the preceding year. I believe such a course would be of very great advantage to the working of this Bill. It would stimulate the Joint Committees,

Sir W. Hart Dyke

keep them in touch with one another, and conduce to the harmonious and consistent as well as energetic operation of the Act throughout the entire Kingdom.

*SIR W. HART DYKE: I have drafted a Clause—

"That the Charity Commissioners shall include in the Report of their proceedings under the Endowed Schools Act a Report of their proceedings under this Act."

MR. S. KENDEL: We do not at all wish that the proceedings under this Act shall be included in the general Report of the Charity Commissioners. What we desire is a special and separate Report, and I trust the right hon. Gentleman will accept my new clause.

*SIR W. HART DYKE: Very well.

MR. S. RENDELL: I move, then, the following new clause:—"The Charity Commissioners shall in every year cause to be laid before both Houses of Parliament a Report of the proceedings under this Act during the preceding year."

Question, "That this clause be read a second time," put, and agreed to.

Question, "That this clause be added to the Bill," put, and agreed to.

Bill reported, as amended, to be considered upon Friday, and to be printed. [Bill 349.]

MESSAGE FROM THE LORDS.

That they have agreed to the National Portrait Gallery Bill, with an Amendment.

NATIONAL PORTRAIT GALLERY BILL. (No. 279.)

Lords' Amendment to be considered forthwith; considered, and agreed to.

FISHERY ACTS AMENDMENT (IRELAND) BILL. (No. 91.)

Order for Second Reading read, and discharged.

Bill withdrawn.

MERCHANT SHIPPING ACTS AMENDMENT BILL. (No. 339.)

Read a second time, and committed for this day.

It being One of the clock, Mr. Speaker adjourned the House without Question put.

House adjourned at One o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 11.] SIXTH VOLUME OF SESSION 1889. [August 1.

HOUSE OF COMMONS,

Wednesday, 24th July, 1889.

NOTICE OF MOTION.

SCOTLAND AND GOOD FRIDAY.

SIR G. CAMPBELL (Kirkcaldy): I beg to give notice that unless the Government very seriously re-consider their position in regard to violently imposing on Scotland the English Episcopal and Papistical institution of Good Friday, in utter disregard of the spirit and intent of the Act of Union, I will on an early day move—I will not say the repeal of the Union—but for such a re-arrangement of the relations between England and Scotland as shall make such an outrage impossible in the future.

ORDERS OF THE DAY.

LOCAL GOVERNMENT (SCOTLAND) BILL. (No. 334.)

Order for further consideration of Bill, as amended, read.

DR. CLARK (Caithness): I have an Amendment to move in Clause 118, with the view of making it quite clear that no claim for compensation shall be raised under that clause, and that only existing officers who are entitled under their engagement to compensation shall get it. I wish to remove all doubt on that matter, and I accordingly propose the insertion after the word "officer," of the words "who is otherwise entitled to compensation." If the Lord Advocate objects to the words of the Amendment, perhaps he will accept the words he has used himself in Clause 117—

namely, such compensation "as he would be entitled to under his former engagement." I cannot say that upon these matters I am altogether prepared to accept the dictum of the Lord Advocate. My experience of previous Lord Advocates would scarcely justify me in doing so. I remember a case in which the Lord Advocate took a different view from that of the Scotch Members generally; but the Court of Quarter Session supported our view. All I want is to make assurance doubly sure that compensation will not be given to those whom it is not intended to compensate.

Amendment proposed, in page 18, line 30, after the word "officer," to insert the words "who is otherwise entitled to compensation."—(*Dr. Clark.*)

Question proposed, "That those words be there inserted."

SIR G. CAMPBELL: I hope the Government will accept this very reasonable Amendment, which makes the same provision in regard to compensation as that contained in the English Act, and which has already been inserted by the Government in a previous clause.

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I should like to make it clear what the object of the clause is. By Clause 117 we have dealt with the case of the abolition of any existing office, and provided that the holder of it shall be entitled to similar compensation under this Act to that to which he would have been entitled under his former engagement. But there is another class of cases dealt with under Clause 118. The change which the Bill effects is, undoubtedly, a large one, and no doubt there will be a certain amount of re-adjustment of work

understand perfectly with the original intention. I think it is therefore fair to say that the Council have the right to determine whether any provision is to be made for the relief of the poor. I think it is fair to say that the Council have the right to determine whether any provision is to be made for the relief of the poor. I think it is fair to say that the Council have the right to determine whether any provision is to be made for the relief of the poor.

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Mr. J. P. B. Robertson

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*MR. SPEAKER: Order, order! I do not think the hon. Member is entitled, upon this Motion, to go into details, as he is now doing, in regard to the working of the Allotments Act in England.

*SIR WALTER FOSTER: I bow to the ruling of the Chair, and I will limit myself to warning the Scottish Members that the working of these clauses will not be satisfactory. I have shown that in other cases these clauses have not worked well. The argument that they would be likely to induce landowners to offer land for the purpose of allotment is not a justifiable one. If there is a disposition on the part of landlords to offer their land, it is not so much due to the Act as to the fact that the demand for allotments on the part of the labouring poor is steadily growing, and landowners with charitable instincts are endeavouring all over the country to meet that demand. I do not want the same condition of things to exist in Scotland as exists in England. The Scottish peasantry are probably the finest peasantry in the United Kingdom, and I should be glad to see their independence maintained, and that they should be able, if possible, to live in greater independence and comfort. But I do not want to see introduced into Scotland a system of rural and political terrorism such as exists in some parts of England.

*MR. SPEAKER: I am sorry to interrupt the hon. Gentleman, but I must point out that the House was not discussing the clause, but only whether the Bill shall be re-committed. The time for the discussion of clauses is in Committee.

*SIR W. FOSTER: I had hoped that the Allotment Clauses would have been drawn in stronger terms, and that there would have been some means provided by which the compulsory purchase of land could be effected, and that there would have been more stringent powers given to the County Councils. If the clauses be made to read compulsorily instead of permissively it would have a better and more far reaching effect. I am anxious that the peasantry should have an opportunity of owning and tilling land, not as a favour conferred by the landlord, but as a right. I would warn the Scottish Members that if the clause is not amended it will not meet the legitimate wishes of the Scottish peasantry.

*MR. CAMPBELL-BANNERMAN (Stirling Burghs): I understand that

the question now before the House at this moment is not as my hon. Friend seems to think the second reading of this clause, but the re-committal of the Bill for the purpose of considering the clause. I gather from the remarks of the Lord Advocate that the Government are in some doubt whether it is desirable to proceed with the clause. The clause as it stands is certainly not satisfactory to the great number of Scotch Members, and it will be necessary if they decide to proceed with it to extend it, especially in the direction of giving facilities for acquiring ground for houses for fishermen, crofters, and others. My belief is that the mere question of allotments, as known in England, does not excite much interest in Scotland, and that the principal point of interest in Scotland in connection with this question is the power to get a larger portion of ground for other purposes. Scotch Members are willing to accept the clause as a step in the right direction, but a strenuous effort will be made by them to extend it. If the Government do not see their way to grant this extension it is for them to say whether they think it desirable to go on with the clause, or whether they will prefer to proceed by a Bill in another Session, so as to deal with the whole question in a larger and wider way. I think we may see, from what has been said by my hon. Friend who has just sat down, that some of our English Colleagues will have something to say on the matter from the point of view of English experience.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): From the speeches of the right hon. Gentleman who has just sat down and the hon. Member for the Ilkeston Division (Sir W. Foster) it is quite obvious that Gentlemen opposite desire something of a wider scope than the clause which has been placed upon the Paper to meet their views. The Government, therefore, have to consider what their course ought to be under the circumstances. It is impossible at this period of the Session and in the interests of the Bill itself, which we consider of great importance, to enter into a discussion of the whole relations of the population of Scotland to the land of Scotland, because those are the questions which hon. Gentlemen by their Amendments

and the hon. Member for the Ilkeston Division wish to raise. The Government have endeavoured to meet the views of hon. Gentlemen as far as they could. The right hon. Gentleman the Member for the Stirling Burghs (Mr. Campbell-Bannerman) admits that the clause has some value. If questions of a large character are raised on the clause it will be impossible to dispose of it in the time at the disposal of the Government for the Bill. We are anxious that the power of granting allotments should be extended to Scotland, and that many special considerations with respect to Scotland should be taken into account with a due regard to the interests of the inhabitants, and also with a due regard to the rights of property. Although it is unfashionable now to speak of the rights of property, yet I think that every subject of the Queen has rights of property to which due regard ought to be paid. In these circumstances, there is but one course open to Her Majesty's Government, and that is to remove the bone of contention. I will therefore ask leave to withdraw the Motion for the re-committal of the Bill as far as relates to the clause dealing with allotments. It is with very great regret that I take this course. The Government will consider the matter during the Recess, and endeavour to submit a measure which will meet, as far as possible, the views of hon. Gentlemen.

*MR. SPEAKER: Does the right hon. Gentleman move the Motion in an amended form?

*MR. W. H. SMITH: I ask for leave, in the first place, to withdraw the Motion which has been put from the Chair.

*SIR G. TRÉVELYAN (Glasgow, Bridgeton): As there is some difference of opinion on this subject, I should like to say a word or two before we go to a Division. There was a good deal in the speech of the right hon. Gentleman the First Lord of the Treasury which, in its essence, was very satisfactory. If we go now into these clauses, it will be an opportunity for hon. Gentlemen to put forward their views on the relations between the people of Scotland and the land of Scotland. It will be an opportunity for that, but I do not think it will be an opportunity for anything else, because it is certain that we shall be able in the course of this Debate to get the clauses the Government have

put on the Paper, and to get nothing else. What, on the other hand, do we gain by adopting the course recommended by the Government? Why, we put on the Government an obligation, which I am sure they will be the first to recognise, to bring forward next Session a Bill suited to the needs and requirements of Scotland, and in saying that I beg to state that I do not for a moment contend that the Government are bound to any particular measure as coming under that category. But what I conceive the Government are bound to do is to lay on the Table a Bill which they consider specially suited for Scotland according to their views of the case. Now, I consider that an extremely valuable promise, if I may use so strong a word, because this is not a mere general promise of Scotch legislation, such as we have had for a good many years past. Promises of Scotch legislation on a similar subject meant nothing so long as we had the Universities Bill and the Local Government Bill hanging over us. But now the field is clear, and it is for us this Session, as far as we can, to see what measures we want in Scotland, and I venture to say there is hardly any measure in which the Scotch would take a greater interest, and which would be of greater service to them, than a measure relating to land. We have already placed before the House our views on the subject. Scotch Members, much more familiar with Scotland than myself, have done it at considerable length, and with great success, interesting the House very much. The Government know what is wanted by Scotch Members in these particulars, and I earnestly trust that the result of the short discussion we have had to-day will be, that we may have a Bill from the Government such as we all desire to see. Under these circumstances, I, for one, shall vote with the right hon. Gentleman, when he proposes to withdraw this Motion.

SIR G. CAMPBELL: One thing is very clear, that the Government are only too glad to get rid of the clause. They rashly gave a promise to put in these clauses, and they are willing to give in at the first breath of opposition which comes from an English Member. I have sat with my hon. Friend on the Small Holdings Com-

Mr. W. H. Smith

mittee, and have paid attention to the working of the allotments Bill in England, and I do not agree with my hon. Friend that the measure has been a total failure. There has, I think, been overwhelming evidence before the Allotments Committee, that in some cases directly, but generally speaking indirectly, it has been of great use. It has prevented collisions between landlords and Local Authorities on the subject of the increase of allotments. I have great respect for my hon. Friend, but I cannot help thinking that his feelings are influenced by the circumstance that the measure comes from what we consider a tainted source. I must dissent from him in so entirely depreciating that Bill. For my part, I also regret what has been said by right hon. Gentlemen on the Front Bench, especially what has fallen from the right hon. Gentleman the Member for Glasgow. I accepted the view of the hon. Member for Stirling, that we should rather have this Allotment Bill than no Bill at all. I admit that it is not a complete Bill, and that it does not do all that we could desire it to do, but I think that half a loaf is better than no bread, and as to the consolation that the right hon. Gentleman the First Lord of the Treasury gave us—and which the right hon. Gentleman the Member for Glasgow accepted so readily—that we were to have, next Session, a Bill dealing with the question, I am glad to hear it; but, at the same time, I think that a bird in the hand is worth two in the bush. We know what is likely to happen in regard to Scotch Bills. When we ask for a measure, say next year, we shall be told that we have had a Scotch Session. And we have had a Scotch Session, having been allowed to go into Scotch business at the end of July when all other business has been cleared away. The Member for Stirling alluded to the great questions to be raised in the Bill. For my part, I do not know that great questions are to be raised. My Amendments are all that are on the Paper, I think, or nearly so; and these Amendments, with one exception, come under the description of the Lord Advocate as forming an adaptation of the English Bill.

*MR. SPEAKER: The question before the House is that the Motion be withdrawn.

SIR G. CAMPBELL: I only desire to say that I should be willing to with-

draw the Amendments that differ from the English Bill in order that we may pass a clause corresponding to the English clause. Though we have not in Scotland allotments under the name of allotments we have in many villages what is called "acred land."

*MR. SPEAKER: Order, order!

SIR G. CAMPBELL: Then I would only express my willingness to withdraw the Amendments standing in my name which are not taken from the English Bill.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. RITCHIE, Tower Hamlets, St. George's): I do not propose to go into the question of the English Bill, but I entirely agree with the hon. Gentleman who has just sat down as to the effect which the English Act has had. It has been eminently valuable at all points. My chief purpose in rising, however, was to say that there should be no misunderstanding as to what the pledge of my right hon. Friend was. The Government recognise, looking at the opinion expressed by the right hon. Gentleman the Member for Stirling, and at the indications which followed from Scotch Members, that it is perfectly clear that there is something more in the minds of Scotch Members in connection with this matter than the provisions which refer to England. Looked at from a Scotch point of view, it is simply an allotment measure. That being so, it is evident there is no chance of giving satisfaction to Scotch Members by trying to push forward and to pass the clause which has been put on the Paper. The Government feel, therefore, that it would be very much better for them to consider the whole subject in connection particularly with Scotland, and to endeavour to frame some measure on lines which would be satisfactory to Scotch opinion generally. We shall, of course, keep our promise, and if we can see our way to introduce such a measure next Session we shall be extremely glad to do so. We recognize, and recognize fully, that it will be in the interest not only of Scotland but of ourselves if we can bring forward a measure which will be fairly satisfactory to Scotch Members. We hope we may be able to introduce that measure, and carry it next Session; but I trust the right hon. Gentleman the Member for Glasgow will not seek to carry the pledge further than that. The

Government cannot, of course, at this stage pledge themselves as to what measures will be introduced next Session; but they will consider the whole question and see what can be done.

***SIR G. TREVELYAN**: The right hon. Gentleman's speech is as clear and precise as a Minute, and no one can wish to go outside it.

***MR. ESSLEMONT** (Aberdeen, E.): As representing a Scottish county constituency, perhaps I may be allowed to say a word on the Motion to withdraw the clause. I desire to express in a single word my entire agreement with what was said by the right hon. Gentleman the Member for Stirling, that the circumstances of Scotland and of Scottish counties in regard to fishermen's dwellings and other subjects connected with the land are—

***MR. SPEAKER**: I am sorry again to have to interrupt an hon. Member. But I must point out that the Motion is not to withdraw the clause, but to withdraw the Motion for going into Committee in respect of the clause.

***MR. ESSLEMONT**: On that question I must say that I agree with what has fallen from the right hon. Member for Stirling, and do not concur in the views expressed by the hon. Gentleman the Member for Kirkcaldy. I hope that, considering the promise the Government have given to bestow fair consideration on this question, and considering that all responsibility will be on the Government, we shall take no exception to the course they propose.

MR. HALLEY STEWART (Lincolnshire, Spalding): As there is an Amendment down in my name—the first on the list—I rise to say that I should be happy to withdraw it if it is in the way of the passing of the clause. I say frankly that I was prepared to move a considerable number of Amendments, but rather than imperil the passing of this clause I would refrain. Last year when the Local Government Bill was before the House the right hon. Gentleman the President of the Local Government Board told us that we should this year have a District Councils Bill. Unfortunately, however, a Minister proposes and the Government as a whole disposes of all these questions. Though I do not wish to challenge the intentions of the individual Ministers who have promised us an Allotments Act next

Session, I very much question whether next Session we shall not find ourselves in the same position with regard to that Act that we find ourselves in with regard to the District Councils Act. I hope the Government will carry out this clause.

DR. CLARK: I must say I regret the course taken by the two Front Benches. It was two years ago that the Allotments Bill was brought in, and at that time I moved an Amendment to the effect that the Measure should apply to Scotland. That Amendment was accepted originally, but afterwards struck out at 3 or 4 o'clock in the morning, on the understanding that we were to get a Bill for Scotland. Well, we have not had that Scotch Bill yet, and I have no doubt the Government will be able to find plenty of excuses for not bringing in a Bill next Session. I am prepared to take the matter step by step. I do not expect much from the present Government; I expect more from the Government that will succeed them; but I am prepared to accept whatever the Government can give us. Next year if they can bring in a Bill to give us allotments and small holdings I shall be surprised; but I shall be glad to be surprised.

***MR. SPEAKER**: If the Motion to withdraw the clause is objected to, I shall have to put the question in a different form, otherwise, if the Government were to gain their point on a Division the House would be in exactly the same position it is in now. Is it your pleasure that the Amendment be withdrawn? [*Cries of "No."*]

Amendment proposed, to leave out the words "and in respect of a new Clause (County Council to have power to take land.)"—(*Mr. Solicitor-General for Scotland.*)

Question put, "That the words proposed to be left out stand part of the Question."

The House divided:—Ayes 61; Noes 152.—(Div. List, No. 253.)

Main Question, as amended, proposed.

MR. CALDWELL: I have an Amendment down to re-commit the Bill also in respect of Clause 19, for the purpose of amending the clause in such a way as to place Scotland in the same position pecuniarily, as England is in with regard

to licenses—that is to say, that the amount of licenses shall be given for the current year to Scotland as is the case in England. We are only getting £265,500 in respect of these grants, and if we were placed in the same position as England we should get £57,000 more. If the Government do not see their way to accept my proposal, I would leave it to them to equalise the payment to Scotland in some other way.

*MR. SPEAKER: I would point out that this is a matter for the Chancellor of the Exchequer, and the hon. Member is not in order in moving the Amendment.

MR. CALDWELL: I am aware of that, Sir; but I desire to draw the attention of the Government to the matter, and—

*MR. SPEAKER: Order, order!—there is no Question before the House.

MR. LYELL (Orkney and Shetland): There is a proposal on the Paper in the name of the hon. Member for Wick (Mr. Macdonald Cameron)—namely, as an Amendment to the Lord Advocate's Motion, at end to add "and also in respect of a new Clause (Payment of travelling expenses to County Councillors within those counties to which 'The Crofter (Scotland) Act, 1886,' applies.)" I desire to move the first part of this Amendment down to "Councillors." This matter has been left open to this final stage owing to some misunderstanding with the Lord Advocate. I think it was understood that he was to consider the matter before the Report stage. The cost of my proposal would not be much—probably, not more than £500 per annum—and yet it would conduce greatly to the efficiency of the County Council.

Amendment proposed, at the end of the Question, to add the words "and also in respect of a new Clause (Payment of travelling expenses to County Councillors.)"—(Mr. Lyell.)

Question proposed "That those words be there added."

MR. MACDONALD CAMERON (Wick): I beg to move, as an Amendment the addition which stands in my name on the Paper, whereby the Bill will be further committed in respect to a new clause, providing for the payment of travelling expenses of County Councillors within those counties to which the

Crofters' Act applies. I know from what the Lord Advocate has stated that the Government are not inclined to agree to this proposal; but, as I have pointed out on a previous occasion, there are special conditions in the Highlands of Scotland which make it almost absolutely necessary that something of the kind should be introduced into this Bill. We know that there are men in different parts of the Highlands who, when elected as Councillors, would have to travel very long distances to and from the Council meetings, and it is only fair that in their case the Government should accept some proposition of this kind.

Amendment proposed to the proposed Amendment, at the end thereof to add the words—

"Within those counties to which the Crofters (Scotland) Act, 1886, applies."—(Mr. Macdonald Cameron.)

Question proposed, "That those words be there added in the proposed Amendment."

MR. J. P. B. ROBERTSON: The proposals of the two hon. Gentlemen who have just spoken illustrate the difficulty and complexity of the matter with which we have to deal. The hon. Member for Orkney and Shetland (Mr. Lyell) proposes one thing and the hon. Member for Wick (Mr. Macdonald Cameron) proposes another; and the latter hon. Gentleman told the House that he knew from me the Government would not assent to his Amendment. What I said when the Bill was in Committee was that I thought it might be possible to make some provision in certain cases by which the travelling expenses of those who will be called on to go very long distances might be met. The hon. Gentleman the Member for Wick has referred to a private conversation which passed between us on this subject. What I said to him was that I had an idea that the matter was one requiring consideration, and that I must consult my Colleagues on the subject; but the hon. Gentleman had better put down an Amendment on the Paper. However, the subject being, as I have said, a very complex one, the view which I expressed with regard to it in Committee did not meet with general acceptance, hon. Members finding themselves unable to distinguish between the needs

creation of an exceptional privilege with regard to that class of expenditure.

Question put, and agreed to.

Bill reported as amended, and considered as amended (Queen's consent signified).

Question proposed, "That the Bill be now read a third time."

*MR. W. H. SMITH: I think the House will admit that this Bill has been most fully and carefully considered on both sides of the House. There has been a large amount of time given to it, but not, I think, an unreasonable amount, having regard to the great importance of its subject; and, therefore, I trust that I shall not be thought to be asking for anything that is unfair, looking at the period of the Session and the very important business to be disposed of, if I request the House to allow the Bill now to be read a third time. I do not think that the House either would desire to effect, or could effect, any considerable alteration of the Bill on the Third Reading stage. On the contrary, there has been every indication on both sides of the House that, although there may be considerable difference of opinion as to its provisions, some thinking that it does not go quite far enough and some desiring to make it a larger measure, still, taking it as it is, there is a universal desire it should pass; and under those circumstances I hope I am not asking too much in moving that the Bill be now read a third time.

*MR. CAMPBELL-BANNERMAN: I hope the House will agree to the Motion without difficulty. I trust that the right hon. Gentleman will be able to arrange for having the Bill printed immediately as it stands, in order that our constituents in Scotland may know what are its provisions. Before passing from the subject I wish to congratulate the Lord Advocate personally on the success which has attended his labours; and I do not hesitate to say that the passing of the measure in the form in which it now stands is largely due to the great care, courtesy, and ability which the Lord Advocate has displayed.

SIR GEORGE CAMPBELL: I am very willing that the Bill should now be read a third time as we have done our best to amend it, and could not hope to amend it further now. I only wish to say a word as to a question to which I attach great importance, both practical

and sentimental, and which has not been discussed—namely, as to the imposition of English holidays upon Scotland under Clause 90. I am not a Scotch Nationalist—I do not want to legislate for Scotland as a separate nation; but that country is an ancient kingdom, and at least a large Province of the Empire; we have our own law and institutions, and I think it could never be intended that our institutions should be Anglicized in a forcible manner by surprise. New Year's Day is by far the most important holiday in Scotland; and it is notorious that Good Friday is a day entirely unknown in shops or places of business in the country. There is a good deal of feeling on this subject, for this provision shows a disposition to wipe out Scotland as a separate part of this kingdom. I therefore hope that the question will be re-considered, and that what has been done by inadvertence in this House will be set right when the Bill goes to the other House.

DR. CLARK: I will not oppose the Third Reading of the Bill. I think it has been fairly well amended, and that the Government have conceded a good deal to the opinions of Scotch Members on the Opposition Benches. At the same time, I regard the financial arrangements of the measure as unfair and unjust to Scotland, which the Treasury appear to consider a country to be exploited, and not to be given a farthing if they can help it. This year Scotland was to be robbed of £57,000 which rightly belongs to her. I think the Chancellor of the Exchequer should remember that Scotland pays more than her fair share of taxation, and as we are to lose £57,000 this year I hope the right hon. Gentleman will afford some aid to more or less philanthropic schemes which are being promoted in the poorer districts.

Question put, and agreed to.

Bill read the third time, and passed.

UNIVERSITIES (SCOTLAND) BILL.

(No. 307.)

Order read, for resuming Adjourned Debate on Amendment proposed to the Bill [17th July] on consideration as amended.

And which Amendment was, in page 9, line 12, after the word "Esquire," to insert the words "Sir William Thomson."—(Mr. J. P. B. Robertson.)

Mr. J. P. B. Robertson

Question again proposed, "That the words 'Sir William Thomson' be there inserted."

Debate resumed.

MR. HUNTER: There are several reasons why the name of Sir William Thomson should not be inserted in this Commission. In the first place, the excessive representation of Glasgow and Edinburgh of which we have complained is aggravated and intensified. I hold that each of the Universities of Scotland is entitled to equal representation on the Commission irrespective of the number of students. Undoubtedly Aberdeen will fare badly when the Commission comes to deal with financial arrangements, as there is scarcely one representative of Aberdeen upon it. I do not say that men who come from Glasgow and Edinburgh will be consciously guilty of unfairness towards Aberdeen in the distribution of the grant of £12,000 a year, but I think it requires no special knowledge of human nature to understand that Glasgow men will see more clearly and feel more strongly the wants of Glasgow; that Edinburgh men will see more clearly and feel more strongly the wants of Edinburgh, and that they will not see so clearly or feel so strongly the wants of Aberdeen. That is one ground for objecting to the addition of this gentleman to the Commission. There is, too, another objection. The original desire was to abstain from putting on the Commission any University Professors. I think the Government were wise in that respect. It is quite true that, so far as expert knowledge is concerned, the professors are most capable, but then, unfortunately, their pecuniary interests are involved. Human nature is human nature, and although any professor appointed on this Commission would, so far as any personal interests were concerned, try to be perfectly fair, still he would hardly be in a pleasant position when dealing with unreasonable demands by his fellow professors. I remember an old story of a Professor of Chemistry, who was sent to London by a certain *Senatus Academicus* to make certain demands. When he returned it was noticed that he was very chary of giving information. The Professor of Humanity asked what he had done for him. The answer was nothing. The Professor of Greek's question received a

similar answer, and when at last it was inquired what had been gained by the visit to London the reply was that he had only got another £100 a year for the Professor of Chemistry. There were strong reasons why there should be no professors on the Commission. I know that Sir William Thomson is an extremely spirited and original thinker, and we have not too many of such men. I should, therefore, be extremely sorry to divide against his name, because it might be construed as a slight to him. As Scotchmen we are proud of his eminence and distinction. Under these circumstances I will not move now the adjournment of the consideration of this Bill, but will agree to Sir William Thomson's name being added.

Question put, and agreed to.

MR. HUNTER: I now beg to move that the further consideration of this Bill be postponed, and my object is to put myself in order and to call the attention of the Government to the position in which we stand. Last Wednesday we divided against two or three names, but when we came to the name of Sir Francis Sandford, which is peculiarly obnoxious to the great majority of the people of Scotland, we were debarred from considering his merits or demerits by the step which the right hon. Gentleman the First Lord of the Treasury thought fit to take on that occasion. He left us the only alternative of moving the Adjournment of the Debate and thus put us at a great disadvantage, because we could not go into the general question, and there are some hon. Members on this side of the House who, on principle, vote against Motions for the Adjournment of the Debate. On that occasion 30 Scotch Members voted for the adjournment and only 20 against, and this Division may be taken as showing the hostile Scotch opinion on the name of Sir F. Sandford. Do the Government intend to retain this and other names on the Commission in the face of a hostile Scotch opinion? The name of Mr. Frederick Fuller was particularly objectionable to Scotch Members. The addition of that is simply adding insult to injustice, and if the Government insist on retaining it, the Scotch Members must use such weapons as are placed in their hands for bringing the matter before the people of

Scotland. I appeal to the Government now to consent to the omission of Sir F. Sandford's name.

Motion made, "That the further proceedings of consideration of the Bill, as amended, be now adjourned."—(*Mr. Hunter.*)

MR. J. P. B. ROBERTSON: I am rather surprised at the tone in which the hon. Gentleman has made his proposal. I must remind the House of various stages at which the Government have shown a great readiness to consider not only the reasons, but the prepossessions of the House. Criticisms and comments were not unfairly made of the composition of the Commission as it then stood, and the Government considered how they could give effect to the wishes expressed. Communications passed between the two sides of the House, with the result that four names were struck off the Commission. That in itself was a most distasteful operation, involving personal disappointment and personal explanation; and, moreover, gentlemen would be unwilling to serve on the Commission if their names were always to be subject to hostile criticism. Then came the question, how were those four places to be filled up? The Government put themselves frankly in communication with the Opposition with regard to four names to be substituted for those struck out, and two of the four were nominated at the suggestion of right hon. Gentlemen opposite. I am not aware of any instance in recent times in which a Government has gone further in the way of modifying the composition of a Commission. If criticisms are passed on the four names, all I can say is that the Government have entertained a doubt as to whether it was well to put on the Commission professors and extra-mural teachers, thinking it better to appoint persons not so directly concerned in the questions coming before the Commission. But the opinion of the other side of the House was that it was necessary to have representatives of extra-mural teaching, and that consequently the professors should also be represented. The Government have placed two professors on the Commission, one of whom excites the critical displeasure of the hon. Member for Aberdeen. I offer no comment on the gentlemen who represent extra-mural teaching, but merely state that I

Mr. Hunter

believe they will be worthy Members of the Commission. But the hon. Member for Aberdeen, not acting apparently in direct conference with the right hon. Gentleman the Member for Stirling Burgh, has lodged a most vehement objection to the omission of Aberdeen, and has proposed a name to give effect to the representation of Aberdeen. That name has not met with general acceptance in all quarters of the House, and certainly has not on the Government side of the House. The Government, while thinking that the representation of Aberdeen is inadequate, were willing to concede the point, and in the negotiations about the four names they made an offer that there should be special representation of Aberdeen among the four. But the right hon. Gentleman opposite thought that it was not necessary. In the Debate last Wednesday the Government were asked whether they could supply a representative for Aberdeen, and the need of the representation was urged on purely academic grounds, hon. Gentlemen opposite especially desiring some one who was acquainted with the more modern teaching in Aberdeen. After consideration the Government found a name open to no objection whatever.

MR. HUNTER: Question.

*MR. SPEAKER: Order, order! There is a certain amount of irregularity in the whole discussion. The reasons for the adjournment may be entered into, but it is not in order to discuss the representation of Aberdeen, which has been, and which will be again, the subject of Debate.

MR. J. P. B. ROBERTSON: I will then confine myself to declaring that the Government has not exhibited the smallest indisposition to consult opinion in all parts of the House. I am, however, anxious to say one word about Sir F. Sandford. Except on some narrow and personal ground, I cannot understand why such vehement objection is taken to Sir F. Sandford's name. He is one of the oldest and most honoured public servants in the country, and one of the most distinguished of living Scotchmen. He served a long time in the Public Service when Scotch education was administered with English education, and when the severance took place he entered the Scotch Office, and his administration has been universally applauded as giving the Scotch Office a fresh and fair start.

I speak of Sir F. Sandford in the presence of an ex-Secretary for Scotland; and I say that there is no man who more completely combines a knowledge of Scotch affairs and opinions than Sir F. Sandford.

*MR. CAMPBELL-BANNERMAN: It is, Sir, after your ruling, extremely difficult to discuss this question without touching upon names.

*MR. SPEAKER: Order, order! The irregularity was in discussing names on a Motion for Adjournment.

*MR. CAMPBELL-BANNERMAN: I think the right hon. Gentleman the Lord Advocate has misunderstood the gist of the hon. Member for Aberdeen's remarks. When he complains that the Government are not regarding Scotch opinion he is not referring to the negotiations which have taken place, but to the Division upon the name of Sir F. Sandford. With regard to the selection of those names, the right hon. Gentleman is quite accurate in what he said, within certain limits, but I should like to state my side of the case.

*MR. SPEAKER: Order, order! The matter which the right hon. Gentleman proposes to discuss is quite irregular. The Question before the House is that the further consideration of this Bill be postponed.

*MR. W. H. SMITH: I trust I may appeal to the hon. Gentleman not to press his Motion.

MR. HUNTER: I ask leave to withdraw it.

Motion, by leave, withdrawn.

Amendment proposed, in page 9, line 12, to insert the words "Dr. Blackie, Dr. Watson."—(*Mr. Campbell-Bannerman*.)

Question proposed, "That those words be there added."

*MR. CAMPBELL-BANNERMAN: The reason I suggested the names of Dr. Blackie and Dr. Watson was that they represented, as fairly as anyone who could be thought of, the reforming party in the University Councils, the one of Glasgow and the other of Edinburgh. For myself, I should have very much preferred a much smaller executive Commission of perfectly neutral men, but I wish to absolve the Lord Advocate from any responsibility with regard to the composition of the Commission. We are all aware the Bill has been drifting about in the currents

of Parliamentary accident for a great many years, and the Commission as now proposed is the growth of years. Since I and my Friends failed to secure a smaller and stronger Commission, the next best thing was to have both sides on educational questions fairly represented. I think there can be no objection fairly taken to the constitution of the proposed addition to the Commission if only the Member who is to represent Aberdeen interests is satisfactory to those who have those interests so much at heart. Unfortunately there is a difference of opinion between the Lord Advocate and his Colleagues on the one hand, and my hon. Friends behind me, who know more about Aberdeen, on the other, as to the suitability of the particular names the Government have suggested.

MR. HUNTER: I have only one word to add to what has been said by my right hon. Friend, and that is that there was a complete understanding on these Benches when the Government agreed to add four additional names to the Commission that the intention was to add four names which would be satisfactory to this side of the House. The difficulty which has arisen is entirely due to the fact that the Government have insisted upon putting on two more names in place of those they struck off.

Question put, and agreed to.

Amendment proposed, after the foregoing Amendment, to insert the words "Samuel Henry Butcher."—(*The Lord Advocate*.)

Question proposed, "That those words be there inserted."

SIR G. TREVELYAN: I regard the introduction of the name of Professor Butcher as a very serious matter indeed, and all the more on account of the very great respect I have for Professor Butcher as a man, and, what goes with me very far, as a scholar. There is no Cambridge man but must be proud of Professor Butcher, alike as a man and as a scholar, but his views on the subject of extra-mural teaching are such that his presence on the Commission cannot be regarded with anything but feelings akin to uneasiness. This Bill would never have been introduced if it had not been for the object of throwing open the Universities of Scotland to a proper system of extra-mural teaching. I think the Government ill-

advised in putting on the Commission a gentleman who is absolutely committed by the most openly-expressed opinions to refusing that boon for which Scotland has asked, and for the sake of which the Bill was given. In an address to the Edinburgh branch of the Educational Institute of Scotland, given in November last, Professor Butcher argued against extra-mural teaching in medicine; but he drew a distinction between medicine and arts, and went on to say:—

"Competitive extra-academical teaching in arts meant undoubtedly, in Scotland, competitive teaching down to the pass standard of the M.A. degree. It meant a rivalry of crammers, a lower level of teaching, a lower conception of the teacher's office. In arts more than in medicine would the evil be felt, partly owing to the difference above noted between professional and non-professional subjects of study; partly, also, because extra-mural teaching in medicine merely supplemented a professional practice. The eminent doctors who lectured in the extra-mural schools were raised above sordid care, and could afford to have a mind and soul above examination results; whereas in arts extra-mural teaching would itself be the profession, the bread-winning pursuit. The teachers would be dependent on the success of the moment; by the necessities of their position they would teach with an eye to immediate results, and impart the minimum of knowledge required."

But this is not all. Professor Butcher, not knowing that he himself was going to be a Commissioner, looked forward to this Commission for the express purpose of extinguishing the very idea of extra-mural teaching. He said:—

"A Commission, it was hoped, would soon be sitting, and they should then have the opportunity of remodelling the framework and their educational curriculum by enlarging the range of their teaching, and allowing freer play to special bents and aptitudes. The reform must work from within. What was needed was not outside teachers, who, as a duplicate and quadruplicate professoriate, should in each branch repeat the same facts, travel over the same well-worn ground, and impart the routine acquirements of an ordinary degree. They should aim at making each University into an intellectual organism, not at forming accidental accumulations from without."

I do not think you could have put into more forcible and eloquent language the *non possumus* on the subject of extra-mural teaching. I think it most unfortunate that because two gentlemen have been added to the Commission to represent extra-mural teaching it should have been thought necessary to counter-balance them with two gentlemen, one of whom is a declared opponent of what the Bill is intended to effect. I think I have shown to the House that I have

very grave reason for objecting to this name.

*THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): While no one can object to the right hon. Gentleman's remarks about Professor Butcher on personal grounds, I think the House has some reason to complain of the line of argument adopted by the right hon. Gentleman. In the first place, it is inconsistent with the argument of the right hon. Gentleman (Mr. Campbell-Bannerman) near him, who has recognized not only the right of the Government to do what they have done, but also the fairness of the course they have adopted. The Government have never been in favour of putting upon the Commission avowed partisans, but have always thought it better to leave these questions to men who are not committed to one view or another. But from the other side of the House we were urged to adopt another system—namely, that of having on the Commission advocates committed to one view or the other. In deference to the wishes of hon. Gentlemen opposite we reluctantly accepted that course, and consented to put on the Commission two gentlemen who are committed to the theory of extra-mural teaching, but we say that if the House is going to adopt the system of advocates we must have advocates on both sides, and surely that is consistent with the elementary principles of justice. Nobody has made any secret of the fact that Mr. Blackie and Dr. Watson are committed to extra-mural teaching. One is the head of an extra-mural college, and the other, I believe, is engaged in extra-mural teaching. Under the circumstances, I feel that the arguments the right hon. Gentleman has addressed to the House, so far from being any conclusive reason why Professor Butcher's name should not be added to the Commission, have amply justified the course taken by the Government. I hope the right hon. Gentleman will feel that we have taken a course not only fair in itself, but one which in common justice to all interests involved we could not have avoided taking.

*MR. C. S. PARKER (Perth): I hope that in a spirit of fairness hon. Members on this side of the House will not think it desirable to divide against a name so eminent as that of Pro-

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fessor Butcher. I agree with my hon. Friends who have spoken, that the Commission as originally proposed would have been of a very one-sided character, that it represented rather the predominance of opinion in the House than the predominance of political or academical opinion in Scotland. But I must admit that the Government have met us very fairly on that point, and that they have well discharged what was a most difficult task—that of obtaining the withdrawal of four of the gentlemen who had accepted seats on the Commission, that is to say who were originally proposed. It was in order to meet the views of Liberal Members that the Government have consented to abandon the principle of putting on the Commission only gentlemen who were uncommitted, and are taking strong advocates on the one side, and balancing them with persons known to be committed on the other side. I do not know that the original method of framing the Commission was not the best, but as we on this side urged on the Government to accept candidates strongly committed for the extra-mural interest, it is only fair if they bring us eminent men on the other side that they should be admitted. Now, we shall have this state of things on the Commission. We shall have the arguments of those who are committed, and a considerable body of gentlemen uncommitted, to judge of those arguments. I am sorry to differ from the right hon. Gentleman the Member for the Bridgeton Division of Glasgow (Sir G. Trevelyan). I think he took rather a one-sided view of the object of the Bill. He held that its main, almost its sole, object was to introduce largely this extra-mural teaching. No doubt that is one of the objects, and there is a considerable amount of feeling in Scotland in favour of that; but only look at the clause which gives to the Commissioners their powers. Every one can see that to favour extra-mural teaching is far from being the sole or even the principal object of the Bill. With regard to Professor Butcher, only two points have been made by the right hon. Member for the Bridgeton Division, that to introduce outside teaching is the whole Bill, that Professor Butcher is committed to the principle of extra-mural teaching. With the former point I have dealt, and to the latter my answer is that it was at the request

of hon. Members on our side of the House that the Government departed from their original intention to appoint gentlemen who were uncommitted. I hope the House will see the fairness of allowing the name of Professor Butcher to stand.

Question put, and agreed to.

Another name, "Patrick Heron Watson, Esq.," agreed to.

Amendment proposed, in page 9, line 12, after the foregoing Amendment, to insert the words "And Frederick Fuller, Esq."—(*The Lord Advocate.*)

Question proposed, "That those words be there inserted."

Mr. HUNTER: I regret very much that the Government have placed the name of Professor Fuller on the Paper in such a position that it has to be discussed before my own Amendment, which proposes to add Professor Bain to the Commission. Of course, the Government have a perfect right to bring on their Amendment before that of a private Member; but if, in consequence of that action of the Government, I am obliged to say disagreeable things of Professor Fuller, the Government have only themselves to blame. If they had allowed the name of Professor Bain to be discussed we should have avoided making any odious or invidious comparisons; but as the right hon. Gentleman has thought fit, in the exercise of his undoubted right, to put us in that position, upon his head must be the consequences and not on mine. Now, my objection to Professor Fuller is not so much that the Government have selected him as that they have deliberately gone out of their way to avoid taking a man incomparably better. They have taken a man who is agreeable to the Tories, which Mr. Bain is not. That raises a great question of principle, which is of much concern to Scotland—namely, whether a man, on account of his eminence I might almost say, but, certainly, in spite of his eminence, should be ostracized and boycotted merely because he is a Home Ruler and a Liberal. Mr. Fuller has not even the advantage of being a Scotchman. He is an Englishman educated in England, and naturally more or less fond of English ways of education. He has served in Scotland as a Professor of Mathematics, first in King's College, of Old Aberdeen

and afterwards in the University. Now, I am not going to say one word against Professor Fuller. I had the pleasure, such as it was, of sitting in his class; but this I think I may say, without the possibility of challenge or dispute—that Professor Fuller, although a perfectly respectable professor, was not a distinguished or an ideal professor. He was not a man of any remarkable, extraordinary, or exceptional originality or power. Scotch professors have full six months' leisure in the year, and such men ought to do something to enlarge the bounds of human knowledge, or at least add something to the literature of the subject which they teach. That can hardly be said of Mr. Fuller. When Mr. Fuller's term of office expired he left Aberdeen, and he has not been there since. If it had been desired to select a man from the whole list of professors who has the fewest claims and no pre-eminent claim for this office, Mr. Fuller ought to have been selected. Of course, as I have said, he possesses in the eyes of people influencing the Government—I do not say the Government themselves, but a little miserable clique of Aberdeen professors—the inestimable advantage of being a Unionist, and that to their minds outweighs all the other circumstances connected with the Universities. I take it that I should not be in order if I alluded to Professor Bain, and therefore the strength of my objection, which lies in a comparison between the two men, cannot be shown on this occasion. The strength of the objection rests upon comparison. Mr. Fuller, though possibly well qualified, has not the distinguished position of Dr. Bain. I have no right to complain of the Rules of the House, or that the Government should take advantage of their position; but if I do not say anything further it is rather because I do not wish to say anything disagreeable in reference to a worthy gentleman whom the Government have preferred to Dr. Bain.

MR. J. P. B. ROBERTSON: In one or two uncontroversial sentences I will at once state to the House the qualifications of Mr. Fuller to be a member of the Commission. For 25 years he was Professor of Mathematics in the University of Aberdeen, from which he has for some years retired, and he is in possession of University experience, and that which is a valuable possession for a Commissioner—leisure, which eminently

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qualifies him for the position to which we have nominated him. His professorship covered the period from 1860 to 1878, and during that time he largely participated in the arrangement of the system of examination that prevails at Aberdeen, and to him belongs the great credit of sending from Aberdeen to Cambridge that brilliant band of young mathematicians who achieved such remarkable success at the English University. He was Secretary to the Senatus, and is intimately acquainted with the business of the University of Aberdeen, and has a combination of qualifications not often to be met with; his experience well qualifies him for the position, while he is separated from all the prejudices of the surroundings of a professorship.

Question put, "That those words be added."

The House divided:—Ayes 167; Noes 122.—(Div. List, No. 256.)

DR. FARQUHARSON (Aberdeenshire, W.): I beg to move the Amendment standing in the name of my hon. Friend the Member for North Aberdeen (Dr. Hunter), and I may say at the outset that no apology is needed for pressing the appointment of one whom we all feel would be an ideal Commissioner. I think when we first heard that a Commission was to be instituted the name that came first to our minds and was readiest on our lips was that of Dr. Bain, familiar to all with any knowledge of Aberdeen University, and known, I may say, throughout the inhabited globe. Associated with University reform for many years, to him has fallen the unique honour of being twice elected by the students of Aberdeen to fill the responsible and honourable office of Lord Rector of the University. His knowledge and experience are such as alone would be sufficient to give that confidence in the Commission which, as at present constituted, I may say it somewhat lacks. It was understood in the first instance that there was one objection, and that a very serious one, to his nomination, that Dr. Bain was unwilling to serve on the Commission, but I think the Government, the House, and the country generally, owe a debt of gratitude to my hon. Friend the Member for Aberdeen, for he, I understand, prevailed upon Dr. Bain to overcome his scruples, and induced him

to give up some portion of his well-earned repose to the performance of this responsible duty. I am quite prepared to admit that the Government have met us half-way in regard to the representation of Aberdeen on this Commission, but why, I ask, will they not go the whole way? I must say that I look forward with very considerable interest to the production by the Government of any objection to this distinguished University man. I will go so far as to challenge them to produce any objection that will in any way remove those feelings of suspicion that are called up by the mysterious attitude they have taken upon this subject. I believe an objection may be taken that the health of Dr. Bain is not strong enough for him to undertake the duty. I do not know whether the Lord Advocate is a constant reader of the *Aberdeen Free Press*, but if he is he must have seen a letter lately communicated to that journal by Dr. Bain, in which he stated that he is quite willing to serve on this Commission if his services are required, to meet the wants and wishes of the Northern University, and that his health is strong enough to enable him to carry out the duty. Has he been too great a reformer? The period during which he was Lord Rector was a period marked by the greatest prosperity of the University, and when his reforming interests in the prominent position gave him great influence for good or harm. Considering that this is a reforming Commission, this is a very great advantage and not an objection. I will say nothing on the question of religion. There has been some idea that Dr. Bain's views are not orthodox, but I have not heard that any religious test is required from the Commissioners, and if any objection is taken on that score I would like to ask the Lord Advocate whether all the other Commissioners are perfectly sound upon the 39 Articles. It is a very invidious thing to have to consider the personal claims of gentlemen who are nominated for this Commission one by one, and to give reasons for and against, but the position is forced upon us. We want this gentleman appointed, and we have had no reason against his appointment. His consent has been formally obtained, and I think it is our duty to press upon the Government the urgent necessity of showing why it is that this name is not accepted by them. I heard my hon.

Friend the Member for North Aberdeen suggest the possibility that it was on the ground of his extreme—not too extreme—political views that Dr. Bain was objected to. It is possible that there is an apprehension that Dr. Bain's appearance on the Commission might disturb the sweet serenity of the Tory and Unionist gentlemen who form the large proportion of that body. But let the Government say, let them give us a reason for it. Yet we have had none. I will sit down, and in Shakesperian phrase, "I pause for a reply."

Amendment proposed, in page 9, line 12, after the foregoing Amendment to insert the words "Alexander Bain, Esquire."—(*Dr. Farquharson.*)

MR. J. P. B. ROBERTSON: I am extremely happy to say that I find it unnecessary to say one word that would be distasteful to any friend of Dr. Bain. Of his eminence and distinction there can be no doubt, but that is really not the question now. We have equipped the Commission to the number which is regarded on all sides as complete and abundant, and there is no occasion for prosecuting further any invidious personal comparisons, to pronounce eulogies or indicate disqualifications. All that is closed. We have endeavoured to meet the views of hon. Members opposite. We have stated fairly that the name of Dr. Bain did not command that general assent to induce us to believe that his appointment would conduce to the smooth working of the scheme, and having so said, I have said all that I have to say in regard to Dr. Bain. Hon. Members opposite have thought fit to hint a great number of things, and have said incomparably more against Dr. Bain than I have thought it necessary to say. The Commission is now complete, and I hope I may be excused if I do not enter further into the discussion.

*MR. ESSLEMONT: It is futile for the Government to think that the people of Scotland, that Members who represent the North of Scotland, and know anything of Aberdeen University, will accept of this "go by" the Lord Advocate has offered us. I have had the honour of personal acquaintance with Professor Bain for some 40 years, and it is of no use for the Lord Advocate to declare that his action

needs no defence in this case. It has repeatedly come to our ears that there were objections to this very eminent man which are most unworthy of the Government to entertain. We have been told by Members of the House that this gentleman is not in health, so as to be able to undertake the duty of a Commissioner, that he has lately been suffering from a stroke of paralysis. There is no foundation for these reports. Dr. Bain is in perfect health and in full possession of his intellectual powers. He has had a life-long connection with the University of Aberdeen, in which from a very humble position he has raised himself to the most eminent position among the professors of Scotland. He is well known throughout Scotland as the man whose knowledge and intellectual attainments mark him out as an almost indispensable member of this Commission. He is the simplest-minded, fairest-minded, most agreeable man I have ever met, and I have met many agreeable men in my time; but he is one that will not swerve one iota from what he believes to be the fair path of duty. My hon. Colleague (Dr. Farquharson) made a slight allusion to his religious opinions. Now, I have watched this eminent man for many years, but I never heard him say one word in disapproval of anyone's religious belief, it is the last thing he would think of doing. I feel that in regard to the representation of our Northern University the Government have treated us very shabbily. We have been most anxious that the names on this Commission should not be discussed at all. We proposed that we should have the number reduced, and that we should begin *de novo* in regard to our Motion. But, still, with the knowledge that Professor Bain has the confidence of the people of Scotland, that he is in political harmony with the general opinion in Scotland, and that he is an able and a sincere reformer in University matters, his presence on the Commission has been denied to us. The people of Scotland have very strong reason to complain that the Government, instead of complying with their wishes, have stepped out of their way and asked us to give our confidence to a gentleman of whom I have not a word to say but of commendation, in order that they might deprive us of that representation that we, on the part of Aberdeen, most desire.

Mr. Eastmont

***SIR LYON PLAYFAIR (Leeds, S.):** I intend to vote for the name of Mr. Bain. I cannot conceive a Scotch University Commission being constituted without the presence of a man who has done so much for the advancement of the mental and moral sciences as this distinguished Scotch professor. Scotland has always been famous for the teaching of mental science, and Professor Bain has advanced these sciences with which his name has been so long connected by new modes of investigation which have been accepted not only in Scotland, but very largely accepted in England also. He has been examiner in mental science at the University of London, and has exercised much influence on the study of mental science throughout the country. He has been a professor of many years in connection with Aberdeen University, and twice he has been elected Lord Rector of that University, which shows the high appreciation in which he is held there. In appointing a University Commission, not only should the name of Dr. Bain be there almost as a matter of course, but all the Representatives of Aberdeen have expressed themselves most anxious that Aberdeen University should be represented by this distinguished professor. I intend to record my vote in favour of this name.

MR. W. P. SINCLAIR (Falkirk, &c.): I think the name of Dr. Bain has been supported by some arguments that had better been left unused. Whatever the political opinions of the gentleman may be, they ought not to have any weight in this matter, and are no disqualification. If he be—as has been said—a Gladstonian, I certainly do not agree with him in that, but I do not think that this unfortunate fact will prevent him from exercising a fair, impartial, and independent judgment upon questions this Commission are appointed to determine. The arguments addressed to the House in support of the candidature of Dr. Bain have been grounded upon his representation of Aberdeen University, but it is not from that point of view that I support the name. Aberdeen University has always been closely connected with the teaching element throughout Scotland, in elementary, secondary, and higher schools, and I know that teachers are most anxious that their views should find representa-

tion on this Commission in the person of Dr. Bain.

*MR. WALLACE (Edinburgh, East): I cannot understand the nature of the Lord Advocate's objection to Professor Bain becoming a member of this Commission. He said that the Commission was fully equipped; in short, that it was too large already. I want to know whose fault is that? I certainly gave the Government the opportunity of lightening the Commission by the excision of three names, for which excision I would have given satisfactory reasons. I did not get an opportunity of doing so. I was closed; so that they were wilfully blind to good reasons for lessening the number of the Commission, of the excessive number of which they now complain. How long ago is it since the Commission was fully equipped? I suppose it was not fully equipped before the name of Mr. Fuller was proposed. But, therefore, if the size of the Commission is the only objection to the inclusion of Mr. Bain, it is an objection which was entirely within their own power. The Lord Advocate did not deny his worthiness to be placed on this Commission, and it seems to me that the reason of the Commission being already sufficiently large is more ingenious than ingenuous, though I do not say very much for its ingenuity either. I think the Lord Advocate said that there were reasons which made his name not generally acceptable. I do not know that there are many names on the Commission that are generally acceptable, and I think that it is a most unfortunate thing that the name of Professor Bain should have been omitted. The name of Professor Bain is accepted in Scotland as of the very highest standing, on the grounds on which a philosophical reputation ought to be sustained. Many of us do not agree with him in his philosophical exclusions, but we recognise the ability and devotion which he has shown in giving himself to the high task he has set before himself in educational matters. There is not a name on that Commission which is more or equally deserving of respect in these matters than the name which the Government now so obstinately and so unaccountably exclude. I can only infer, in conclusion, that the reasons which actuate the Government are reasons of which they are so pro-

foundly ashamed that they cannot state them.

MR. HUNTER: On the last Division 28 Scotch Members went into the Lobby with me, and 12 on the other side. I do not know what the policy of the Government is, but it seems to me that they are determined to flout in every possible case the opinion of Scotch Members. He has distinctly stated that he shall give no reasons. He dared not stand up in this House to give utterance to the shabby bigotry and disgraceful enmity to the nomination of Mr. Bain. I do not know whether he has had any part in this business; I do not know who has been the channel of communication between certain obscure individuals and the Government. But I defy him to stand up in the House and state one reason in support of the policy which has been forced upon the Government from the Benches behind them. I will tell the House the real reason why Professor Bain is hated. Professor Bain has interested himself in subjects of philosophy; his name will rank among the highest in this country, along with Lock, Dugald Stuart, Adam Smith, and the two Mills; his name will be imperishable in the records of British philosophy. He is doubly dear to Aberdeen. He is an Aberdeen man, and in his own life he is an admirable illustration of some of our Aberdeen institutions. We have practically got free University education in Aberdeen. Professor Bain began his career as a weaver in Aberdeen, but he was enabled, at the age of 18, to enter Marshall College. From that time his career has been remarkable and rapid. When he was in London he served in a very important official position, and from his knowledge of business he is extremely well qualified to take part in this Commission. In the year 1860 he was appointed Professor of Logic to the University of Aberdeen. I remember as a boy the insinuations directed against Professor Bain, and I remember when I sat in his class it was with very considerable prejudice, and I expected to see, if not horns and hoofs, something like a monster in human form. From his very first appointment he was the object, on the part of a small number of individuals, of the most venomous and bitter hostility, but everybody who sat in his class learnt what manner of man he

was of all the forebeggings in the temple of truth there never was a purer nor more sincere than Professor Bain. He was not only an original thinker himself, but he possessed the faculty of quickening the minds of his pupils. He was not an idle professor content to receive a salary. He has been a voluminous author and has written works of great importance. It is a test of what the world thinks of him that his books circulate at home and abroad and to such an extent as to put him in possession of an extremely handsome revenue. He retired from office in 1904 and in 1907 he was elected Lord Rector, a position which is jealously guarded by the students and is given only to men eminent in literature or science. He is the only instance within the recollection of any living being of a professor being elected to that literary dignity. The students, who are generous and who can appreciate truth, elected him by a large majority, but on that occasion the professors behaved so indecently as to canvass against their own colleague. It would require an Alexander Pope and a new edition of the *Dunciad* to enable the House to understand the nature and kind of opposition which led the professors to take that step. But it was vain. Professor Bain was not only elected, but re-elected. From whom does this opposition come? It is a little bit of rivalry on the part of obscure mediocrities, who rule persons more eminent than themselves. But I believe these gentlemen would actually have forgiven Professor Bain for his eminence if only he had been a snob. Professor Bain is, and has been all his life, an active politician. I do not think he has taken part in public meetings, but he is well known in private life as a man of very decided Liberal views. This miserable clique, this wretched gang, are opposed to him because he combines liberality of thought with a great degree of eminence. The House does not know, and my hon. Friend the Member for the Universities does not know, the kind of people with whom he is dealing. I can tell him this, from an experience of more than a quarter of a century—that any man, however eminently qualified for his post he may be, will be boycotted and ostracised unless he belongs to the Tories, who have got control of the Universities, and it is a very little section from

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whom the opposition comes. I feel bound to go to a Division on this question for the honour of Aberdeen, for the honour of the University, and for the honour of human nature: because a more disgraceful and scandalous opposition never was offered to a distinguished man; nothing sabblier, or meaner, or more contemptible was ever done in this House, and that is the reason why the Lord Advocate has not given any reasons for his objection. I am sure, if the Lord Advocate knew the unfortunate part he has been made to play, he would be the last man to act as he has done. And I believe the hon. Member for the Universities would tear his tongue out sooner than be a party to such miserable and contemptible action.

Mr. Elliott Roxburgh: I will not imitate my hon. Friend by using violent language in this matter. He told the House that the test of a man was what the world thought of him; but it would appear to me that it is not what the world, but what my hon. Friend on my right thinks of him. Sir F. Sandford is a man of mark and sound knowledge; but Sir F. Sandford was loudly denounced by my hon. Friend, because he happened not to agree with him. Now, Professor Bain is undoubtedly a distinguished man, and many of us are thoroughly acquainted with his name. My hon. Friend praised him to the skies, and says, therefore, he ought to be on the Commission. As to Professor Bain's political opinions, I do not believe that one Scotchman in 10 knows what they are. That is a matter brought in for the purposes of Debate, and for Party purposes. It is not true that Scotch opinion is in favour of or against Professor Bain, because Scotch opinion has not been brought to bear upon the subject. His politics were to me, up to the present moment, absolutely unknown. It is now said that he is a strong Liberal, or a strong Gladstonian, which is a very different thing. I am in the position of 99,000 out of every 100,000 Scotchmen, of being absolutely ignorant of his politics. I have no doubt, in respect of his personal distinction, he is thoroughly fit to be a member of this Commission. That is not the question. We have now arrived, at almost the last stage of this Bill in this House, and the Commission has been constituted after much discussion and conference between Members of the

House, and the Commission now represents the general sentiments of this House. If at the last moment a new name is to be introduced, and we are to be put in the position of proving the unfitness of any new name suggested, I say it is evident to any honest, clear-thinking man, that they are brought forward for Party purposes, and have nothing to do with the benefit of the University.

The House divided:—Ayes 143; Noes 179.—(Div. List, No. 257.)

DR. FARQUHARSON: I beg to propose the addition of the name of Dr. Bruce, the elected representative for Scotland on the General Medical Council. In the first place, he is a medical man, and we are a doctor short on the Commission, inasmuch as the Government have excised the names of two doctors. As the Scotch Universities are essentially Medical Schools, I think it is important that the medical element should be well represented on the Commission. Dr. Bruce is a man of the highest eminence, and has been elected by the whole medical profession in Scotland to represent them on the Medical Council. He would go to the Commission freed from any University trammels, and would represent the rank and file of the practitioners.

Amendment proposed, in page 9, line 12, after the foregoing Amendment, to insert the words "William Bruce, A.M., M.D., elected representative for Scotland on General Medical Council."—(Dr. Farquharson.)

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: I need only say I have not a word to utter in disparagement of Dr. Bruce, who is, I believe, very eminent in his profession; but I am sure the House will be of opinion that it is impossible now to add any other names to the Commission. I hope the hon. Member will rest satisfied with the assurance that Dr. Bruce's name is one which readily occurred to those in charge of the Measure.

MR. HUNTER: The right hon. Gentleman the Chief Secretary said the other day that the Government were not indisposed to make the number 16 or 17. Of course, if they adopt the same principle here as they did in the case of the other names they would add not only this name, but another also.

*MR. CAMPBELL-BANNERMAN: I cannot see my way to support this Amendment. One member was put on the Commission in order to satisfy the claims of Aberdeen. I voted in the last Division for Professor Bain as a protest against the way in which he has been treated; but having disposed of the controversy that circled round the name of Professor Bain, I really cannot see my way to support the addition of any further name.

DR. CLARK: I really think we should require to add still another name if Dr. Bruce were affixed, as he is the very reverse of a reformer. I think we can leave the interests of the profession in the hands of Dr. Watson.

Question put, and negatived.

SIR G. TREVELYAN: I beg to move the Amendment standing in my name.

Amendment proposed, in page 11, line 42, after the word "University," insert the words "and the college or colleges."

Question proposed, "That those words be there inserted."

MR. J. P. B. ROBERTSON: The series of Amendments which are standing in my name and in the name of some other hon. Gentleman have, I think, cleared up this matter, and I am not sure that the right hon. Gentleman wants to press his Amendment.

Amendment, by leave, withdrawn.

SIR G. CAMPBELL: The Amendment which stands in my name has, no doubt, to a great degree been met by the Amendment which has just been passed, and which enables the Commission to abolish any professorship. It may, perhaps, be that the words in the Bill enable the Commission to fix the number and character of the faculties and enable them to abolish any faculties; but I think it would be better to make it quite clear by my Amendment, which is to insert the words, "abolish existing faculties in any Universities, and." Within the last few days the Government, having staring them in the face the Amendment of the hon. Member for Aberdeen, and having heard the arguments in favour of the abolition of the Theological Faculty of Aberdeen and St. Andrews, have appointed a new Professor of Divinity in the University of

Aberdeen. I think it is indecent at this season of the year, when there is no teaching going on and no occasion to hurry, that the vacancy should have been filled up. If the Government are going to fill up these Professorships and stop the House from deciding whether they shall be abolished or not, I think it is desirable that we should in so many words give the Commission power to abolish faculties. I should like the Commissioners to have power to abolish the Faculty of Medicine in any University where there is no real teaching of medicine, and, still more, to abolish the Faculty of Divinity in Universities where it is not required. I do not in any degree desire to raise the question of establishment or disestablishment. I have said I am quite willing to acknowledge that as long as the Church of Scotland exists it has a fair claim. It is notorious that four divinity classes are far more than are needed by the Established Church. Besides, many of the divinity students are frauds. There is a great demand for schoolmasters in Scotland at present, and there is a great desire that schoolmasters should be fully educated. Many of the young men studying for schoolmasters enter themselves as divinity students simply in order to keep the bursaries, and without the slightest intention of following the profession of divinity. I am delighted they should in that manner be able to qualify themselves fully and thoroughly for their profession; but it is an abuse, and altogether contrary to the real meaning and intention of a divinity school, that such a school should be kept up and fully equipped in order to enable these gentlemen to hold their bursaries.

Amendment proposed, in page 12, line 6, after the word "to," to insert the words "abolish existing faculties in any university, and."—(*Sir G. Campbell.*)

Question proposed, "That those words be there inserted."

*MR. D. CRAWFORD: I should have thought the original words of the clause were amply sufficient for all purposes, if it had not been for the manner in which this subject was discussed by the Government in Committee. The Bill, as it stands, gives the Commissioners power to alter the number of the existing faculties, and to create new faculties. Considering the very large powers given to

Sir G. Campbell

the Commissioners in other respects, I submit that it would be expedient that they should have an entirely free hand with regard to the faculties as well. It may be extremely improbable that in the case of a single University the Commissioners should decide that one of the old faculties should cease to exist; but there are two things to consider. In the first place, the Commissioners are empowered to create new faculties; and, in the second place, the existing Faculties of Law, Medicine, and Divinity are very old university arrangements: they come down from other ages and from other countries. Considering the very large powers given to the Commissioners, I do not think it ought to be absolutely assumed beforehand that the Commissioners may not desire to make some change in the old historical existing nomenclature and classification of the faculties. A more practical consideration, however, is that these Universities differ in size. There are four Universities in Scotland, two are much smaller than the others, and ought it not to be left an open question whether the complete equipment of the existing faculties is to remain in each of the four Universities? Is it not possible—I do not think it is probable—that one or other or both of the smaller Universities may desire to specialize themselves to a certain extent, and that one of the faculties may cease to exist there? According to the interpretation put on the Bill by the Government in Committee it would be impossible for the Commissioners to initiate or to sanction such an arrangement, and I rose simply for the sake of endeavouring to elicit an expression of opinion from the Lord Advocate. Perhaps I was too hasty in putting my own interpretation on what was said by him in Committee; but I put it to him whether it would not be desirable, according to the spirit of the clause as it stands, to give an absolutely free hand to the Commissioners in dealing with the faculties.

*THE SOLICITOR GENERAL FOR SCOTLAND (MR. M. T. STORMONT DARLING, Glasgow and St. Andrew's Universities): The Government cannot accept this Amendment for reasons which were fully stated when the Bill was in Committee. The Commissioners have, no doubt, very full and ample powers in regard to faculties; but I should not be dealing

frankly with the hon. Member for Kirkcaldy if I did not say that, in my opinion, the power to abolish faculties is very different from the power to abolish Professorships. I do not think that the Bill as it now stands confers on the Commissioners power to abolish faculties. The hon. Member has very plainly avowed that his main object is to procure the abolition of the Faculty of Theology in St. Andrew's University. There is a special reason why we should not give the Commissioners instructions to that effect now. It is possible that as the result of their report on the subject of tests, the Theological Faculties may hereafter be made available for a larger number of divinity students than is the case at present. There has never, I believe, been a time when there were not all the three Faculties of Arts, of Theology, and of Medicine in the Scottish Universities.

The House divided:—Ayes 125; Noes 196.—(Div. List, No. 258.)

MR. HUNTER: I now beg to move to insert, after "faculties," in line 6,

"And to abolish the theological faculties in the Universities of Aberdeen and St. Andrew's, and employ the endowments of the theological professors to endow new professorships in the faculty of arts."

This Amendment rests upon different grounds to the one we have just disposed of. The Amendment of my hon. Friend was permissive. This is compulsory, and the object is to deal with a great abuse in the wasteful expenditure of money belonging to the Scotch Universities. I do not believe that even many Scotch Members are aware of the extraordinary extravagance which characterizes the Divinity Faculties of Scotland. In each of the Glasgow and Edinburgh Universities there are, on an average, about 107 divinity students, and in Aberdeen the average is 31, and in St. Andrew's 33—I am taking the average of the last five years. My contention is that for the wants of divinity students the two Universities of Edinburgh and Glasgow are amply sufficient; because if you were to distribute the divinity students in Aberdeen and St. Andrew's between Edinburgh and Glasgow you would still have comparatively small classes. What is the proportion between the entire number of divinity students and the number of art students? Taking the average of the last three years, the entire number

of divinity students in the Scottish Universities is 278, while that of the art students is 2,826.

*MR. SPEAKER: Order, order! It appears to me that this Amendment was covered by the last Amendment, which gave power to abolish faculties. This Amendment gives power to abolish the Faculty of Theology in particular Universities.

MR. HUNTER: I asked the Chairman of Committees, and he thought the Amendment was not carried by the last. On the point of order, let me say that the Amendment of my hon. Friend did not refer to the Theological Faculties at all.

*MR. SPEAKER: Theological Faculties are included in faculties.

MR. HUNTER: Then I beg to give Notice that I will move that the Bill be re-committed in order that I may discuss this point.

*MR. WALLACE: I beg to move to insert after "students." in line 17—

"Provided that no fees in existing classes above three guineas shall be increased, and that no fees in new classes or classes in which the fees are now three guineas or under shall be fixed above three guineas."

The object of this Amendment is to meet what I fear will be a very great danger in the practical working of this measure—namely, the danger that is already beginning to appear of making higher education in Scotland too exclusively the privilege of the wealthier classes. Hitherto it has been one of the great distinctions of higher education in Scotland that it has been accessible almost to the very poorest. In the local schools University preparation could be obtained so cheaply as to be accessible to all, and in the Universities themselves to a large extent the same arrangement prevails. I do not say that in the Universities education is as accessible as it should be. In some of the professional classes the arrangements point to the expectation that certain professions are to be shut against the poor man. This is more particularly the case in the profession of law, the classes being so arranged that the education is accessible only to those who have a considerable capital to start with in life. The same state of things prevails to a considerable extent in the profession of medicine. This is a most unwholesome state of things. In the machinery of this Bill I am afraid

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for transparency and accountability, particularly in financial matters. The text outlines various methods for organizing and storing data, including digital databases and physical filing systems. It also mentions the need for regular audits and reviews to ensure the integrity of the information.

2. The second part of the document focuses on the role of communication in achieving organizational goals. It highlights the importance of clear and concise communication, both internally and externally. The text provides guidelines for effective communication, such as using appropriate language, being open to feedback, and ensuring that all team members are informed and aligned. It also discusses the benefits of regular communication, such as improved collaboration and faster decision-making.

3. The third part of the document addresses the challenges of managing a large and diverse team. It acknowledges that managing a large team can be a complex task, requiring a combination of leadership skills, communication, and organizational abilities. The text offers strategies for overcoming these challenges, such as delegating responsibilities, providing training and support, and fostering a positive team culture. It also emphasizes the importance of monitoring team performance and making adjustments as needed.

4. The fourth part of the document discusses the importance of innovation and creativity in driving organizational growth. It argues that innovation is a key factor in staying competitive in a rapidly changing market. The text provides examples of innovative practices and encourages employees to think creatively and propose new ideas. It also mentions the importance of creating a supportive environment for innovation, such as providing resources and encouragement.

5. The fifth part of the document concludes with a summary of the key points discussed. It reiterates the importance of accurate record-keeping, effective communication, and team management, as well as the role of innovation in driving growth. The text ends with a call to action, encouraging all employees to work together to achieve the organization's goals.

advantage, I shall vote for the Amendment of my hon. Friend.

The House divided:—Ayes 114; Noes 199.—(Div. List, No. 259).

It being after half-past Five of the clock, Further Proceeding on Consideration, as amended, stood adjourned.

Further Proceeding to be resumed upon Monday next.

STEAM TRAWLING (IRELAND) BILL.
(No. 335).

Considered in Committee.

(In the Committee).

*MR. MURPHY (Dublin, St. Patrick's): I am afraid there are proposals in this Bill that have been made without sufficient inquiry and notice. I have no wish to stop the progress of the Bill altogether, but I think more inquiry is necessary as to its effect on steam trawling in Ireland, and in order to give opportunity for that I now beg to move to report Progress.

Motion made, and Question proposed, "That the Chairman do now leave the Chair to make his Report to the House."

DR. TANNER (Cork County, Mid): I think, before this Motion is put, I may prevail upon my hon. Friend to consent to some little progress being made with the clauses. Of course, during my recent entertainment by Her Majesty's Government in Clonmel Gaol, I have not had opportunity of making myself acquainted with matters before the House as I could wish, but I understand that many Members of the parts to which I have the honour to belong have taken interest in this measure as concerning the fishing industry of our country, and I think we might make some progress with the clauses, at any rate, until any material point of difficulty arises. I confess I speak with some reserve in the absence of my right hon. Friend the Lord Mayor of Dublin, who has given some attention to this Bill.

Question put, and negatived.

Bill reported, without Amendment; to be read the third time on Monday next.

POOR LAW BILL. (No. 338.)

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

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MR. TUIITE (Westmeath, N.): I only wish to ask is there any objection to add a clause applying the provisions of the first clause to Ireland?

MR. RITCHIE: None whatever. I have been in correspondence with the Irish Office on the subject.

Question put, and agreed to.

Bill read a second time and committed for To-morrow.

PARTNERSHIP BILL. (No. 336.)

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read a third time."

MR. BRUNNER (Cheshire, Northwich): I desire to point out that Sub-section (c) of Section 50 has a very different meaning now to that it had three years ago. It provides that a man, or woman either for that matter, may be excluded from a partnership on account of crime. Now, as the House knows, we have had some new definitions of crime. I am fully satisfied that it has not been on the mind of any hon. Member to promote a Bill in which there shall be a provision by which one partner may exclude another from the business in which they are engaged because of attendance at a meeting. I do not for a moment wish to introduce any matter of controversy now, but I am absolutely convinced that no promoter of this Bill contemplated such a thing; and I appeal to hon. and learned Gentlemen, if they amend the law, to do so in accordance with common sense.

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I think it is not possible to omit altogether Sub-section (c) of Clause 50. It will be observed that the sub-section refers to conviction of any person of a crime, regard being had to the prejudicial effect that conviction may have on the business in which the partners are engaged. I do not suppose the hon. Member wishes to exclude that altogether, and I would suggest that words might be introduced in another place whereby conviction might be defined to meet such cases as those the hon. Member has in mind. It would not do to cut out the sub-section altogether, for the hon. Member must admit there are certain classes of crime on account of which it is only right a partner should have the means of dissolving a partnership.

*MR. H. H. FOWLER (Wolverhampton, E.): Unfortunately, we have to deal with cases of conviction for crime under peculiar circumstances. We have in view the possibility of the exclusion of a Member of this House from the School Board of London, as a consequence of a conviction under the Coercion Act. Certainly, it is a matter which we cannot leave to "another place." I would suggest that the Bill be re-committed, in order that the Amendment may be made here, and I hope the Third Reading will not be proceeded with.

*MR. GEDGE (Stockport): In the Education Act the words are not "convicted," but "punished with imprisonment" for crime. This clause goes further and seems to require modification.

MR. SEALE-HAYNE (Devon, Ashburton): On behalf of the promoters of the Bill, I wish to say they will accept the suggestion made.

Debate adjourned until To-morrow.

ECCLESIASTICAL DILAPIDATIONS BILL. (No. 159.)

Order for Second Reading read, and discharged.

Bill withdrawn.

COMPANIES' CLAUSES CONSOLIDATION ACT (1888) AMENDMENT BILL. (No. 237.)

Order for Second Reading, read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. A. ACLAND (Yorkshire, W.R., Rotherham): This Bill does not legislate, it only corrects an unfortunate error of three words that crept into the Bill of last year, and the Bill has the Lord Chancellor's recommendation.

Question put, and agreed to.

Bill read a second time and re-committed for To-morrow.

TOWN COUNCILLORS (SCOTLAND) BILL. (No. 177.)

Order read for resuming Adjourned Debate on Second Reading. [April 16.]

MR. ESSLEMONT (Aberdeen, E.): I understand that the Second Reading of this Bill is not met with Notice of Opposition. If this stage is allowed, I am quite willing that the Committee

stage should be deferred for any reasonable period.

MR. J. P. B. ROBERTSON: In the absence of my right hon. Friend the Leader of the House I can give no undertaking.

Debate further adjourned till Monday next.

MOTIONS.

TECHNICAL INSTRUCTION BILL.

On Motion of Sir William Hart Dyke, Bill to facilitate the provision of Technical Instruction, ordered to be brought in by Sir William Hart Dyke, Sir Michael Hicks Beach, and Mr. Jackson.

Bill presented, and read first time. [Bill 350.]

COUNTY COURT PLAINTS.

Motion made, and Question proposed,

"That an Address be presented for Returns from every County Court in England and Wales of the total number of Plaints, &c., entered in each Court from the 1st day of January to the 31st day of December, 1888, both days inclusive, distinguishing those not exceeding £20; those above £20 and not exceeding £50; and those by agreement over £50; and, of the sittings of the County Courts in England and Wales holden before the Judges of such Courts in the year 1888 (in continuation of Parliamentary Paper, No. 211. of Session 1888)."—(Sir George Russell.)

DR. TANNER (Cork, Mid): I must object to this Motion being taken.

*MR. SPEAKER: On this point I have given my ruling before. This appears on the Paper as an unopposed Return, and is merely in continuation of a previous Parliamentary Paper. I think the objection raised by the hon. Member may be almost described as frivolous.

DR. TANNER: I make the objection to which I am entitled, and I may explain that I do so in consequence of our being treated so badly in reference to the Returns we moved for last year.

*MR. SPEAKER: Order, order! I shall not allow the objection; it is frivolous, and a mere obstruction of the business of the House.

Question put, and agreed to.

House adjourned at ten minutes before Six o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 12.] SIXTH VOLUME OF SESSION 1889. [AUGUST 2.

HOUSE OF LORDS,

Thursday, 25th July, 1889.

NATIONAL PORTRAIT GALLERY BILL. (No. 144.)

Returned from the Commons with the Amendment agreed to.

GRANTS TO MEMBERS OF THE ROYAL FAMILY.

Message to the Commons for copy of the Report from the Select Committee.

TOWN HOLDINGS.

Message to the Commons for copy of the Report from the Select Committee.

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have added the Lord Archbishop of Canterbury, the Earl of Brownlow, the Earl of Kilmorey, the Earl of Kimberley, the Lord Bishop of London, the Lord Bishop of Rochester, the Lord Wemyss (*E. Wemyss*), and the Lord Kenry (*E. Dunraven and Mount-Earl*) to the Standing Committee for Bills relating to Law, &c., for the consideration of the Cruelty to Children Prevention Bill, read, and ordered to lie on the table.

SMOKE NUISANCE ABATEMENT (METROPOLIS) BILL. (No. 13.)

Order of the 31st of May last, re-committing the Bill to a Committee of the Whole House, read.

LORD STRATHEDEN AND CAMPBELL: My Lords, as the Bill which I have introduced dealing with this sub-

ject has had the essence taken out of it by the Standing Committee, although the principle of the Bill has been frequently affirmed by this House, I think the Bill had better be withdrawn. I think the Standing Committee has acted *ultra vires*, and I have determined to withdraw the Bill. In conjunction with the Smoke Abatement Institute, of which the Duke of Westminster is Chairman, I am endeavouring to frame a new Bill, which I expect to be able to lay on the Table during the present Session.

Order discharged and Bill (by leave of the House) withdrawn.

MERCHANT SHIPPING (TONNAGE) BILL. (No. 174.)

SECOND READING.

Order of the day for the Second Reading read.

*LORD BALFOUR: My Lords, the object of this Bill is to remedy defects in previous legislation on this subject in regard to gross and registered tonnage of merchant shipping, as contained in the principal Act of 1854. The regulations there laid down are to the following effect: That in measuring for the gross tonnage the internal capacity of the ship is to be taken—that is, the hull and the erections upon and above the upper deck, which could be used for stores for passengers or for cargo—and then calculating the contents in cubic feet; dividing that by 100 the result would give the gross tonnage, with this exception—that all the space occupied by the crew, if it does not exceed 5 per cent. of the whole tonnage, is deducted from the result of the gross tonnage as arrived at. My Lords, in other words, therefore, the gross tonnage of the ship is the

entire cubical capacity of the hull less the crew space if it does not exceed 5 per cent of that amount. In arriving at the registered tonnage on which dues are paid certain deductions are made in respect of the propelling power. That depends upon the size of the ship, and also varies according to whether the ship is propelled by paddles or screw. My Lords, that Act was amended by an Act passed in 1867, mainly in the interests of the seamen and crews employed in merchant vessels, and has for its object lightening the rates put upon those parts of the ship which are occupied by the crew, and it provides that all the crew spaces, whether above or below the deck, shall be deducted from the calculation for the registered tonnage. Of course, my Lords, this Act of 1867, and its provisions, were to that extent intended to come entirely in the place of the provisions of the Act of 1854; but the provisions of the Act of 1854 were not in so many words specifically repealed, and a year or two ago some ingenious person discovered that by taking the two Acts of Parliament and reading them together a shipowner might be entitled to deduct from the registered tonnage under the Act of 1867 that which had not been calculated into the tonnage under the Act of 1854. For example, as I have already said, under the Act of 1854, 5 per cent of the crew space above deck was deducted from the gross tonnage before the gross tonnage was certified, and the whole of the crew space is entitled to be deducted under the Act of 1867. Therefore the crew space above deck, if it does not exceed 5 per cent of the whole tonnage, is not to be added under the Act of 1854, but it falls to be deducted under the Act of 1867. That, of course, would be obviously unfair, and one object of this Bill is to remedy that defect. My Lords, under the same Act of 1867 certain spaces which are placed above the engine room, and which obviously cannot be used for cargo, are also entitled to be deducted from the calculation for registered tonnage; but owing to the Act of 1867 those spaces are not calculated in the cubical capacity of the ship for the gross tonnage, and that defect is also proposed to be remedied by one of the clauses in this Bill. Your Lordships will easily under-

stand that as some years have elapsed since those defects were first discovered a certain number of *quasi*-vested interests have arisen, and, therefore, the law as now proposed will require to be carefully applied and adjusted in reference to existing vessels which have been measured under those conditions. Your Lordships will find a clause in the Bill carefully prepared for the purpose of suiting the new order of things to the old, with the least possible hardship; but those matters will be the subject of consideration in Committee rather than upon the present occasion. My Lords, there are other provisions in the Bill, such as allowing sailing ships to make certain deductions from those calculations of tonnage, but those provisions are all matters of detail, and are in accordance with the recommendations of the Royal Commission on Saving Life at Sea. My Lords, I think there is no further explanation which I can give at the present stage. I propose, if your Lordships will pass the Second Reading of the Bill, to refer it to one of the Standing Committees, and I move now that the Bill be read a second time.

Bill read 2^a (according to order), and committed to the Standing Committee for General Bills.

BRIBERY (PUBLIC BODIES AND OFFICERS UNDER THE CROWN) PREVENTION BILL. (No. 90.)

House in Committee (on Re-commitment) (according to order): Bill reported without further Amendment, and to be read 3^a on Monday next.

TELEGRAPHS (ISLE OF MAN) BILL. (No. 113.)

House in Committee (on Re-commitment) (according to order): Bill reported without Amendment; and to be read 3^a To-morrow.

COUNTY COURT APPEALS (IRELAND) BILL. [THE LORD HERSCHELL]. (AMENDMENTS) (No. 104.)

House again in Committee (on Re-commitment) (according to order).

LORD FITZGERALD said, on the question of the County Court Judges granting an appeal, he would confine the proposed Amendment to inserting

Lord Ralfour

after the word "vexatious" the words "or unreasonable."

LORD HERSCHELL: My Lords, on this Question, that the words "or unreasonable" stand part of the Clause, I shall not trouble your Lordships by repeating at any length what I said on the previous occasion. I still adhere to my view, that it is objectionable to leave the question of appeal open whether it is reasonable or not. My Lords, I strongly object to appeals being allowed in those cases. My noble and learned Friend seems to assume that the case will necessarily go by way of appeal to the Judge of Assize. I think the power to state a case on a point of law will not cause additional expense; but I believe that putting in these words, instead of saving expense to the parties will put them to expense. However, as the noble Viscount opposite voted against me on the matter when it came to a Division, I do not feel that there would be much hope for it if a Division were again taken, and, therefore, I will not trouble your Lordships with it further.

Amendment (by leave of the House) withdrawn.

LORD FITZGERALD said, upon the Question whether Clause 9 should stand part of the Bill he wished to add the words, "and that no such appeal shall have the effect of staying further proceedings unless the Judge shall direct." He supposed there could be no objection to that.

LORD HERSCHELL: My Lords, I am not quite sure that I follow this Amendment. I had understood it to mean that execution shall not be stayed; but surely execution is a stay of further proceedings. One mode of staying further proceedings is to obtain execution, and of course execution would go at once unless the Judge saw reason to the contrary.

Amendment, by leave, withdrawn.

LORD FITZGERALD said, he objected to Clause 13, because under it litigants would be able to carry on appeals to any extent they pleased. For the assistance of the House he would state that he had received a letter on the subject pointing out that the clause had evidently been taken from 14 and 15 Vict.

cap. 57, sec. 138, providing that any person who shall think himself aggrieved by the decree of the Court, and who does not appear by an attorney at the hearing, may obtain a re-hearing, upon depositing the money and entering into a bond. Thereupon an appeal was given to the next going Judge of Assize. So that provision was thereby made for payment of the money into Court. In place of moving the omission of the section he would propose only to modify it.

EARL CADOGAN: My Lords, I agree that it is not right that the leave to appeal should remain open for an unlimited time. I should, therefore, ask the noble and learned Lord to withdraw his Amendment and to move another limiting to some extent the time within which the appeal can be made.

LORD HERSCHELL: I should like to explain to your Lordships the circumstances under which this clause came into the Bill. It was not in the Bill as originally introduced in the other House. It had its origin in a suggestion of the Bar Committee after the Bill had been framed as it was proposed to be carried. Attention was called to the fact (of which there can be no doubt) that the 127th section of the Act of 1857 was repealed by the ninth section of the Act of 1882. It was stated before the Bar Committee by a learned gentleman who was formerly in the House of Commons and who had taken part in the Bill of 1882, that that section had been omitted *per incuriam*, and he was the person who proposed its insertion in the Bill now before your Lordships' House. It is a very necessary section. Suppose a person receives a County Court summons for a debt; he goes to the place and says, "What do you mean by this? I have paid the money?" But, notwithstanding that, the proceedings go on behind the man's back, a decree is obtained, he, of course, having paid no further attention to the matter, and execution can be enforced against him. There are no means by which under the existing law he can obtain a remedy. My Lords, that is sufficient to show that such a clause as this is necessary. Therefore, I propose at line 51, after the word "appeal," to insert the words "to the next going judge of assize."

*THE EARL OF MILLTOWN: I desire to call attention to one thing. As I gather, Clause 127 of the Act of 1887

provided for giving an appeal to persons who do not appear personally.

LORD HERSCHELL: No, it has just the same operation as this clause.

*THE EARL OF MILLTOWN: As I understand, Clause 4 excludes persons who do not appear by counsel or attorney.

LORD HERSCHELL: It refers to persons who consider themselves aggrieved and who do not appear by counsel or attorney.

THE LORD CHANCELLOR: There may be cases in which the defendant never heard of the proceedings until execution issued. This Bill contemplates, no doubt, the case of a person who by his own fault did not appear by counsel or attorney, but if he himself appeared he would not be within this clause. My noble Friend seems to be under a misapprehension as to what the clause means. If any person was *inops concilii* and did not know how to appeal, this clause would not enable him to do so.

LORD HERSCHELL: It only affects persons appearing by counsel or attorney.

THE LORD CHANCELLOR: But it is consistent with the fact that he might have appeared himself, and if he did there is no appeal.

LORD HERSCHELL: If he appeared himself he would come within the section.

EARL CADOGAN: What I understand my noble Friend to mean is that the section only applies where the defendant was not represented by a solicitor or counsel, whereas it ought to apply to cases where the defendant did not appear himself.

THE LORD CHANCELLOR: Yes.

LORD FITZGERALD: The clause was only introduced in the House of Commons at the last moment. It was introduced on the night of the 30th of June, and the Bill was read a third time the next day. There was no time to consider it, and I have not been able to find out who proposed the Amendment. It does not appear on the records of Parliament. Originally the appeal was given where the party did not appear by attorney. That was the whole thing.

Amendment agreed to.

Report to be received on Monday.

The Earl of Milltown

THE ASTRACANA IN COWES ROADS.

QUESTION—OBSERVATIONS.

LORD COLVILLE OF CULROSS: My Lords, I rise to ask whether the Board of Trade will renew the application which they recently made to the Trinity Corporation, and ascertain if they still decline to remove the obstacle to navigation and anchorage in Cowes Roads which they have created by the sinking of the ship *Astracana*. On the 28th June I called the attention of the House to the same subject, and was then told that the Board of Trade had no power to compel the Trinity Board to remove the wreck. I was in hopes that, as the obstruction of the shipping anchorage at Cowes was produced solely by the act of the Trinity Board, they would consider it their duty to remove it. A month has elapsed, and nothing has been done; the wreck still remains in a most inconvenient position with a buoy above it. The Trinity Board informed the Board of Trade that on the 25th of June there were 17 feet clear all over the wreck at low water spring tides, and nothing above the level of the sand. But I am glad to say I am in a position to give your Lordships a little further information. The Local Board of Cowes have employed an experienced diver who last week made six visits to the wreck, and instead of finding nothing above the sand (according to the Trinity version), he reported a great quantity of loose wreckage which might be raised without difficulty, and some timber upright, and fixed, quite five feet above the ground. He also said:—

"If a vessel anchored there, she would never see her anchor again. The upright pieces of timber are very dangerous to vessels passing over the wreck—particularly to coasting vessels drawing more than 10 feet at low water."

The Trinity Board stated that there were 17 feet of water over the wreck at low water. The Local Board have had most careful soundings made (which correspond with the report of the diver), and they show that instead of 17 feet of water there were only 11 feet over the wreck. It certainly is not to the credit of the Trinity Board, whose functions are supposed to be the protection of navigable channels and anchorages along the coast, that they should create this obstruction and then

refuse to remove it. I beg to call your Lordships particular attention to the fact that some time since they called for tenders for the purchase of the wreck; but they now ignore the obligations which they then imposed upon the purchaser—namely, that the wreck should be removed within a given time. My Lords, the Trinity Board are not represented in this House, but I see here several noble Lords who are Elder Brethren, and I should be very happy if they will stand up and explain the conduct of the Trinity Board. I am compelled to put my question to the noble Lord who represents the Board of Trade, and I hope he will give me a more satisfactory answer than I received on the last occasion.

***LORD BALFOUR:** My Lords, when notice was given of this question I at once communicated with the representatives of the Trinity House in London, and I had an interview with a gentleman who came from their office to see me a few days ago. To-day the information, which I will read to the House, has been furnished by the Trinity Board—I will give it in their own words:—

“Memorandum on the Wreck *Astracans*.

“It has been already explained that when this wreck was found floating bottom up, and extremely dangerous to shipping, endeavours were made to sink it, but without success. It may be added that as the cargo proved to be oil it would have been impossible to sink her without breaking up, running the risk of sending large fragments free, and multiplying the risk to navigation. It has also been explained that the wreck was not voluntarily taken to Cowes, and it may be further stated that it was in such an unmanageable condition that the Trinity House officers were simply able to take her along with the tide and beach her at the first opportunity. As the fore-end of her keel was bent obliquely by their efforts to sink her, when once beached she could not be moved.

“When the process of recovering cargo was completed the Trinity House invited tenders for the purchase and removal of the hull, but no offers being received, they proceeded with that work themselves, and on June 20th it was reported by their diver that nothing remained above the mud.

“A few days since the Trinity House, being informed that, probably by the action of the tide and weather having disturbed the wreckage, some portions are sticking up and dangerous, gave instructions to resume operations to remove them, and a diver has to-day been sent to assist in the work.

“The Trinity House wish it to be understood that they are not at all indifferent to the convenience and safety of vessels frequenting Cowes Roads, but that the cost of entirely removing this wreck is estimated at £1,000, and

they are anxious to guard against a needless expenditure of public money. Their superintendent at Cowes has been also instructed to watch the wreck, and remove any portions which may become dangerous.”

I hope that answer will be satisfactory to the noble Lord and those whom he represents. It shows, at any rate, that the Trinity House are making every effort to repair the mischief caused by the vessel sinking in that position; and I hope that the operations will have a satisfactory result.

SMALL DEBTS (SCOTLAND) BILL.

(No. 177.)

House in Committee (on Re-commitment) (according to order): Bill reported without further Amendment; and to be read 3^d to-morrow.

ADVANCE NOTES TO SEAMEN BILL.

(No. 93).

Amendment reported (according to order); and Bill to be read 3^d on Thursday the 8th of August next.

CHARITIES RECOVERY BILL [H.L.]

A Bill to facilitate the recovery of rent-charges and other payments owing to Charities—was presented by the Lord Herschell; read 1^a; and to be printed (No. 183.)

IRELAND—GWEEDORE.

THE DUKE OF ARGYLL: My Lords, I move for the production of the file in the Irish Land Commission Court numbered 9,133; and to ask Her Majesty's Government whether they can produce a letter found in the house of the Rev. James McFadden, P.P., Gweedore, written by the Rev. D. Stephens, C.C., Falcarragh, and produced in evidence at the Letterkenny Quarter Sessions on the 12th April, 1889. Perhaps your Lordships are aware of the existence of a Blue Book giving the proceedings of the Irish Land Commission, and giving particulars with regard to the Poor Law Valuations, and the Judicial Valuations. That is all they give, except certain observations generally of an empty character, and there are, in fact, my Lords, no means whatever of judging from those particulars the principle on which the rents are fixed. I understand from questions put in the House of Commons and from information in the newspapers, that the Land Commission Court has within a very recent period adopted a new system which I must say

is an immense improvement on the old one, and which goes a considerable way to remove, at all events, some of the objections which have been taken to the operations of that body. They now require all the Sub-Commissioners fixing rents to fill up a schedule which contains very full particulars if the schedule is carefully filled up. That is a great improvement on the old system. They require the Sub-Commissioners to give not only the acreage, but the quality of the land, the proximity to a market town, the state of buildings which may have been erected by the tenant, and all the information which any land valuer would require. Since I put the notice on the Paper, I have understood that all these schedules are accessible to persons in Dublin on payment of 1s., and that land proprietors and tenants going to the Land Court can get all the information they may desire. To move for these Returns would cause considerable inconvenience to the Court, and expense to the public, and, therefore, I ask to be allowed not to press for them, and also to move that the Order for the Returns which I recently obtained should be discharged. But the letter to the Rev. J. M'Fadden stands in a different position. The other evening my noble Friend seemed to express some doubt whether I had any evidence as to some of the matters to which I referred. I do not suppose my noble Friend has gone much into the matter, and I am not surprised at his request, because I certainly entered into some details which might naturally appear to him to be unsupported by legal proof. But I can assure my noble Friend that he was mistaken. The statements I made were founded upon a document which I wish to bring to the attention of your Lordships, and which I beg to move may be laid on the Table of the House if there be no objection. I hope the House will believe that in making a statement in regard to the operation of an important Act of Parliament I took very great care to inquire into the accuracy of the facts which I brought before the House. My Lords, I stated that in the opposition to Mr. Olphert and the strike against rents on his estate, as well as on the better known estate of Lord George Hill, there were two priests in connection with the movement. That statement was made upon the evidence of a letter which has

The Duke of Argyll

been produced in an Irish Court of Law. Your Lordships will remember the terrible murder committed on the occasion of the arrest of the Rev. J. M'Fadden, and that in consequence of that arrest his house was searched, and in the house was found a letter which has I understand been verified in a Court of Justice, and was not denied by the person who wrote it—the curate of the parish in which the Olphert Estate is situated. That letter is a very remarkable document, and such an illustration of the manner in which evictions are got up that I will read it to the House. [The noble Duke read the letter, in which the writer urged that the particular attention of Dillon should be called to the necessity of despatching an M.P. to the scene of action as soon as the operations were to commence, that he himself had never seen an eviction and would not undertake to manage the matter successfully; he reminded the Rev. J. M'Fadden that he promised to be present at the eviction, and that success or failure depended entirely upon that promise being kept; he reminded him also that it was at his instance the writer took up the flag, and that it was he who was responsible for the whole business, and therefore that whatever engagement he might have he should lay aside and rush to the scene of conflict. The writer added, "You know what Olphert is. You know it will take all our united energies to beat him down."] Now, my Lords, I think that letter shows that I was entirely justified in the statement which I made to the House. I beg the House to remember that in both these cases the agitation was against rents which had been fixed by the Court; they were not the old rents. In nine cases out of ten they were rents fixed by the Land Commission, and the agitation was directed against two landlords who of all in Ireland had perhaps done most for their tenants.

Moved,

"That there be laid before this House a letter found in the house of the Rev. James McFadden, P.P., Gweedore, written by the Rev. D. Stephens, C.C., Falcarragh, and produced in evidence at the Letterkenny Quarter Sessions on the 12th April, 1889."—(The Lord Sundridge, *D. Argyll*.)

THE LORD PRIVY SEAL (*Earl CADOGAN*): My Lords, I am glad

the noble Duke has exercised his discretion with regard to the Motion he has placed on the Paper, and furthermore that he has thought it right that the Order for the Return granted him under a misunderstanding a few days ago should now be discharged. The noble Duke has stated fully the reasons for that withdrawal, and I think the House will agree that it would not be very advantageous for the Public Service that the files of the Land Commission proceedings should be moved for from time to time and granted as Parliamentary Papers. It is quite true that the proceedings in connection with the action of those Courts are published in a schedule, and that those interested in any portion of the proceedings are able to obtain the information they required at the cost of 1s. At any time, therefore, they can obtain full particulars. Under the circumstances, I think it is not desirable that such Motions should be made in Parliament and that Returns should be granted with the result of turning records of those summary proceedings into Parliamentary Papers, whereas other similar proceedings are not to be moved for in Parliament. Now, my Lords, with reference to the letter found in the house of the Rev. J. M'Fadden, I have to say that not only to the knowledge of the Government, but of every one, that letter has been proved in open Court to be entirely and absolutely genuine. It was found in a search made in Father M'Fadden's house, I think, in February of this year. I am not surprised that the noble Duke should have brought that matter forward after the remarks of the noble Earl, who appeared to think that the noble Duke had made statements about Father M'Fadden of which there is no proof in official documents. In 1888 Father M'Fadden was tried in open Court. The facts proved on that occasion have been public property ever since, and the Government have no other knowledge on the subject. Father M'Fadden is now awaiting his trial on another and more serious charge, and I thought it would be the wish of your Lordships that nothing should be said that could prejudice him upon that trial. As to the proceedings which are complete, the Government can only express their regret that any minister of the Gospel, to whatever denomination he belongs, should use the

authority he acquires from his sacred office to assist and encourage those who, for reasons of their own, are opposing the law of the land. I regret I cannot agree to the Motion that that letter should be printed and laid on your Lordships' Table. I do not think it is for the public interest that one special paper or part of any legal case should be excepted from the general body of the evidence in that case and made use of for any particular purpose. If the Motion had been for the production of the whole of the evidence it would have been open to argument. I hope the noble Duke will see the force of that consideration, and that he will not press that part of the Motion which he has put forward.

THE DUKE OF ARGYLL: My Lords, I do not wish to press for the production of a document which has reference to proceedings yet to be completed. It was only in reference to the general question of evictions, which is quite a separate matter, that I desired to ask for it. I will not therefore press for the production of the letter.

Motion (by leave of the House) withdrawn.

IRELAND (GWEEEDORE AND OLPHERT ESTATES).

Order of the 15th instant for Returns Nos. I. and II. to be laid before this House, discharged.

House adjourned at half past Five o'clock,
till to-morrow, a quarter past
Ten o'clock.

HOUSE OF COMMONS,

Thursday, 25th July, 1889.

PRIVATE BUSINESS.

STOKE-UPON-TRENT RECTORY BILL
[LORDS] (by Order).

Order for Second Reading read.

Motion made, and Question proposed,
"That the Bill be now read a second time."

MR. WOODALL (Hanley): Perhaps I may be permitted to say that this is a

Bill which affects very large and important interests, and contains within its provisions some novel principles. I am glad to say, however, that the promoters have acceded to the proposal that it shall be referred to a hybrid Committee, and consequently it is not necessary that I should make any remarks at this stage.

Question put, and agreed to.

Ordered—

"That the Bill be committed to a Select Committee of Seven Members, Four to be nominated by the House, and Three by the Committee of Selection.

"That Three be the Quorum.

"That Mr. Harry Davenport, Captain Edwards-Heathcote, Mr. Woodall, and Mr. Halley Stewart be nominated Members of the Committee.

"That Standing Orders 111, 211, and 236 be suspended, and that the Committee have leave to sit and proceed upon Wednesday next.

"That all Petitions against the Bill, presented within the time limited by the Standing Orders, be referred to the Committee, and that such of the Petitioners as pray to be heard by themselves, their Counsel, Agents, and Witnesses, be heard on their Petitions, if they think fit, and Counsel heard in favour of the Bill against such Petitioners."—(*Mr. H. Davenport.*)

FACTORS BILL [LORDS]. (No. 310.)

Reported from the Standing Committee on Trade, &c., with Amendments.

Report to lie upon the Table, and to be printed. (No. 277.)

Minutes of Proceedings to be printed. (No. 277.)

Bill, as amended in the Standing Committee, to be taken into Consideration upon Monday next.

QUESTIONS.

THE ROYAL IRISH CONSTABULARY.

MR. J. E. ELLIS: (Nottingham, Rushcliffe): I beg to ask the Solicitor General for Ireland in what manner (whether by examination, nomination, length of service, or any other method) appointments are made to the positions in the Royal Irish Constabulary of county inspectors, district inspectors of first, second, and third class, head constables, sergeants, and acting-sergeants; and, whether there are any maximum or minimum limits of age in

Mr. Woodall

each of these ranks; and, in that case, what are they?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): The Constabulary Authorities report that in the Royal Irish Constabulary appointments are made as follow:—

1. To county inspectors.—Appointments are made by examination in professional qualifications from the most eligible of the first-class of district inspectors. There is no limit of age.

2. To first-class and to second-class district inspectors.—Appointments are made by seniority from the second and third classes of district inspectors respectively, when the persons so promoted are in all respects eligible for advancement.

3. To third-class district inspector.—Appointments are made by nomination—(a) of gentlemen, the sons of constabulary officers, under certain conditions, the nominees having to compete amongst themselves at an examination held by the Civil Service Commissioners; (b) of gentlemen, not the sons of constabulary officers, under certain conditions, who have to undergo a competitive examination by the Civil Service Commissioners; and (c) by examination at headquarters in literary and professional qualifications of the most suitable from the rank of head constable. In class (a) the limits of age are 19 and 26 years. In class (b) 21 and 26 years. In both these classes if a candidate can show specially qualifying service as an officer in the Army, Navy, or in a police force, he may be admitted up to the age of 28. The limit of age of head constable candidates for third-class district inspectors is 48 years.

4. To head constable.—Appointments are made from the rank of sergeant on the recommendation of the local officers by examination in literary and professional qualifications.

5. To sergeant.—Appointments are made as a rule by seniority from the rank of acting-sergeant, when qualified in every respect.

6. To acting-sergeant.—Appointments are made from the rank of constable on the recommendation of the local officers after a test examination (locally) in literary and professional qualifications, the papers for such examination being transmitted from headquarters. Except as stated above there are no limits of age in the above appointments.

MR. H. J. WILSON (York, W.R., Holmfirth): Are these and other particulars relating to the Constabulary to be found in any document?

*MR. MADDEN: The details which I have been given have been supplied from a document furnished to me, which I shall be happy to hand to the hon. Gentleman. I do not believe that the entire information is to be found in any one Return. The information which I have given to the House is probably taken from several Returns.

THE COUNTY COUNCILS.

SIR RICHARD PAGET (Somerset, Wells): I beg to ask the President of the Local Government Board if, with a view to enable the Councils of the administrative counties and county boroughs to make the necessary financial re-adjustments under "The Local Government Act, 1888," he will furnish reliable Returns, setting out the amounts of Local Taxation Licence Duties and Probate Duty respectively, provisionally allotted to administrative counties and county boroughs; and also the amounts of old Government Grants; and of the new grant in respect of union officers receivable by each of the authorities above mentioned.

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. RITCHIE, Tower Hamlets, St. George's): The Local Government Board hope shortly to be in a position to certify under Section 22 of the Local Government Act, 1888, the shares received by each administrative county and county borough during the financial year ended March 31, 1888, out of the grants heretofore made out of the Exchequer in aid of local rates which have ceased to be granted since the passing of the Act. They will also certify under Sections 26 and 43 of the Act the annual sums payable to Boards of Guardians in respect of the new grants payable to the Guardians under the Act. It will be impossible to furnish at the present time any reliable Return as to the amounts of the local taxation licences and Probate Duty grant which will be received by each administrative county and county borough during the current year, as the amount of the licences and grant will not be ascertainable until after the end of the year.

SIR R. PAGET: Will the right hon. Gentleman take steps to insure that the information shall be furnished as soon as possible, seeing that it is necessary to have Returns in order to enable the Councils to come to a financial adjustment?

*MR. RITCHIE: My hon. Friend may rest assured that the information will be supplied at the earliest possible date.

RAILWAY CHARGES.

MR. HENRY H. FOWLER (Wolverhampton, E.): I beg to ask the Pre-

sident of the Board of Trade whether, under "The Railway and Canal Traffic Act, 1888," the system of short distance extras will be allowed to Railway Companies in addition to terminal charges?

*THE PRESIDENT OF THE BOARD OF TRADE (SIR M. HICKS BEACH, Bristol, W.): The right hon. Gentleman calls attention to a very important question, but until the schedules submitted by the railway companies, and the objections to them have been carefully considered by the Board of Trade, I do not think it would be desirable for me to make any specific statement as to what may be the decision arrived at. A system by which remuneration for short-distance haulage can be charged in two ways would be open to obvious objection.

INDIAN DRINK TRAFFIC.

MR. CAINE (Barrow): I beg to ask the Under Secretary of State for India if it is true that, in the official *Gazette* of 13th June last, the Bombay Government published a Resolution prohibiting the removal, without permit, of more than one gallon of the fresh juice of the cocoa-nut and other palms (called toddy) from place to place in any part of the Presidency; and, if it is the intention of the Bombay Government to place similar restrictions on the removal from place to place of mowra and other native spirits, the large quantities of strong malt liquors brewed within the Presidency, and the various cheap alcoholic liquors which are being imported into Bombay in steadily-increasing quantities?

THE UNDER SECRETARY OF STATE FOR INDIA (SIR J. GORST, Chatham): Yes; save that the regulation applies to fermented toddy and not to fresh juice. The Bombay Government have not communicated any such intention as to mowra and other liquors.

INDIAN EXCISE DUTY.

MR. CAINE: I beg to ask the Under Secretary of State for India if he is now in a position to state to the House the decision of the Government of India with regard to the imposition of an excise duty on the 4,860,000 gallons of malt liquor brewed in the 19 breweries established in different parts of India,

which he stated was under "the consideration of the Government of India?"

SIR J. GORST: I have no further answer to give to the question than that which I gave on the 21st of June—namely, that the matter is under the consideration of the Government of India.

MR. CAINE: Is there any hope of the decision being announced on an early day?

SIR J. GORST: The Government of India, like that of England, is not in the habit of announcing beforehand an intention to impose additional taxation.

ABKARI DEPARTMENTS IN NATIVE STATES.

MR. CAINE: I beg to ask the Under Secretary of State for India if he will lay upon the Table of the House, print, and circulate to Members, the Agreements of the Bombay Government with those Native States within the area whose Abkari department has either been taken over by the Bombay Government or otherwise assimilated?

SIR J. GORST: These agreements are not in the possession of the Secretary of State, but a synopsis of them is to be found in the Bombay Abkari Reports for 1886-87 and 1887-88. Their general purport is to assimilate the system of the various Native States with that of the adjoining British districts.

SUDDER AND OUTSTILL DISTILLERIES.

MR. CAINE: I beg to ask the Under Secretary of State for India if he will grant a Return for the last 10 years showing the gallonage of country spirits issued from sudder and outstills in the various provinces of British India, with the revenue resulting therefrom, the quantities of spirits and malt liquor imported into India, and the quantities of malt liquor brewed in British India, for each year respectively?

SIR J. GORST: The Secretary of State could not assent to such a Return without previous communication with the Government of India, as the information would have to be collected in India, and he believes that the information as to the outstills could not be given even then.

Mr. Caine

EXOISE ADMINISTRATION.

MR. CAINE: I beg to ask the Under Secretary of State for India if he has yet received the reply of the Government of India to the Dispatch of the Secretary of State, "Revenue, No. 52, Exoise Administration, Resolution of House of Commons," 16th May, 1889; and, if so, will he lay it upon the Table of the House?

SIR J. GORST: No reply to that Dispatch has as yet been received.

MOUSSA BEY.

MR. SUMMERS (Huddersfield): I beg to ask the Under Secretary of State for Foreign Affairs whether it is the fact that the Kurdish brigand, Moussa Bey, when on his way to Constantinople, was received with manifestations of honour and sympathy by leading Mahomedan officials at Bitlis, Moush, Erzeroum, and Trebizond; whether, when the steamer that conveyed Moussa from Trebizond reached Constantinople, Generals Hassan and Bahri Pashas went on board; whether the aforesaid Generals had been deputed by the Sultan to convey to Moussa the Imperial salutations; whether Moussa was conducted to Yildiz Kiosk Palace, and had an audience of the Sultan; whether Moussa is now being entertained by his uncle, Bahri Pasha, the Mutessarrif of Pera; whether the Sultan has issued an Iradé, inviting all whom it may concern to come forward and substantiate the charges, if any, that they have to prefer against Moussa; whether, subsequently to the issue of this decree, 12 Armenian emigrants from Moush and Bitlis addressed to the Sultan a petition expressing their readiness to prove all the crimes alleged to have been committed by Moussa, or with his connivance; and whether these petitioners have been arrested and imprisoned in consequence of the action they have taken?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (SIR J. FERGUSSON, Manchester, N.E.): Her Majesty's Government have no information as to the manner of the reception of Moussa Bey at the places named, or as to an audience of the Sultan. Moussa Bey addressed a petition to the Sultan declaring the oppression and brigandage attributed to him to be without founda-

tion, and that he has come to complain of the charges, and is ready to stand with complainants before the Court and abide judgment. An Imperial Iradé has been issued instructing the Ministry of Justice to notify to those concerned that the complainants must bring their charges before the Tribunal in the regular way, and that if any suit is instituted against Moussa Bey it must be examined and decided with the greatest justice, equity, and despatch. The Iradé further provides that the Governors of Bitlis shall be instructed that if there are any persons on the spot to bring forward claims against Moussa Bey they must at once come to Constantinople. The alleged arrest of the members of an Armenian deputation is entirely denied, and Her Majesty's Ambassador has not obtained any confirmation of the report.

MR. JASPER MORE (Shropshire, Ludlow): May I ask the right hon. Gentleman if he can now give any information as to the proposed inquiry into the charges against Moussa Bey; and whether any provision will be made for the presence of reporters who are acquainted with the Turkish as well as other languages?

*SIR J. FERGUSSON: According to the information possessed by Her Majesty's Government it is not yet decided what Court will hear the case, but it is believed that it will be brought before an open Court of Justice. Her Majesty's Government are not informed whether provision will be made for the presence of reporters acquainted with Turkish as well as other languages. These are matters which belong to the internal administration of the Ottoman Empire.

MR. CHANNING (Northamptonshire, E.): When will the Papers promised by the right hon. Gentleman the hon. Member for Aberdeen (Mr. Bryce), be laid on the Table of the House?

*SIR J. FERGUSSON: I believe that they are virtually ready for presentation.

THE ROYAL NAVAL COLLEGE AT PORTSMOUTH.

SIR SAMUEL WILSON (Portsmouth): I beg to ask the First Lord of the Admiralty if he will make an inquiry into the sanitary condition of the Royal Naval College at Portsmouth, the drainage of which is described in a

local paper, as being "as bad as bad can be;" and if he is aware whether the statement is true that the son of a noble Lord who is a High Court Official, is said to have died lately from fever contracted in that College.

*THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): A careful inquiry was made in 1886 into the sanitary condition of the Royal Naval College at Portsmouth by a Committee consisting of two Medical Officers and an Officer of the Works Department. They reported as follows:—

"We have no fault to find with the drainage system, which is as complete as can be made under the existing conditions of the building."

And they recommended a certain expenditure to perfect the system which was sanctioned. But the College, in common with the other dockyard buildings, is constructed upon low-lying ground, and the basement floors are within three feet of the subsoil water in the dry season. This is the condition of a large portion of the town of Portsea. The health of those permanently residing in the College, which adjoins the house of the Commander-in-Chief and the Captain of the *Excalent*, is good. From 1879 to 1883 there is no record of enteric fever. In 1884 and 1886 there was one case in each year, and in 1888 there were three cases. I regret very much the death of the gallant young Officer alluded to. It has been said that he contracted the fever in the College, but there is no actual proof of the allegation.

THE LONDON, CHATHAM, AND DOVER RAILWAY.

MR. COX (Clare, E.): I beg to ask the President of the Board of Trade whether complaints have reached him that trains on the London, Chatham, and Dover Railway are frequently stopped from five to fifteen minutes between Grosvenor Road and outside Victoria Stations, in consequence of the line being blocked; and, if so, will he cause an inquiry to be made as to the reason of this delay, and the great inconvenience occasioned thereby?

*SIR MICHAEL HICKS BEACH: No such complaints have reached me, nor have I any power to interfere in such a matter. I have, however, sent a copy of the hon. Member's question to

the Railway Company for their observations, and I should be happy to show the hon. Member their reply.

CROWN LANDS IN AUSTRALIA.

COMMANDER BETHELL (York, E. R., Holderness): I beg to ask the Under Secretary of State for the Colonies whether he will lay upon the Table of the House a Return showing for each year in the Australasian Colonies the revenue obtained from the sale and lease of Crown Lands, the expenditure incurred (1) in the improvement of Crown Lands from surveys, roads, fencing, water, &c.; (2) in connection with natives; and (3) by assisting immigration; the revenue of the Colony raised by taxation; the area of land alienated from the Crown; the area of land remaining?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de Worms, Liverpool, East Toxteth): I fear it is quite impossible to procure such a Return. We have not the necessary information here, and the labour which its compilation would entail upon the Colonial Governments would be very great. The three last items, however—namely, the revenue raised by taxation, the area of land alienated, and the area remaining unsold, might be procured for the last year, but Her Majesty's Government cannot promise even so much without first communicating with the Colonial Governments.

COMMANDER BETHELL: All I ask is that the Government should supply the Returns as far as they are in their possession. The information in great part is already accessible in this country. All that is required is to supplement the Returns so as to make them complete.

BARON H. DE WORMS: I am afraid that I can make no promise, as the statistics are not in the Colonial Department. Application would have to be made to the colonies for them.

COMMANDER BETHELL: Will the right hon. Gentleman apply to the colonies for them?

BARON H. DE WORMS: Yes; so far as the last Return is concerned.

INFECTIOUS DISEASES.

MR. J. E. ELLIS: I beg to ask the President of the Local Government Board whether, inasmuch as the subject

of notification of infectious diseases is embraced in the inquiry referred to the Commission on Vaccination, he proposes to press forward the Bill for the Notification of Infectious Diseases now before the House?

*MR. RITCHIE: I cannot concur in the suggestion that the fact that one of the questions referred to the Royal Commission on Vaccination is—

"What means other than Vaccination can be used for diminishing the prevalence of small-pox,"

has any practical bearing on the question of the notification of infectious diseases, and it is my intention to press forward the Bill on that subject now before the House.

HANSARD'S DEBATES.

MR. HENRY H. FOWLER: I beg to ask the Secretary to the Treasury whether he will give instructions to the editor of the new series of *Hansard* that the speeches of hon. Members shall be reported in the first person only when the speeches are reported *verbatim*, and that Reports which are summaries of speeches shall be, as heretofore, reported in the third person?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): In answer to my right hon. Friend I do not think it is desirable that I should give any instructions to *Hansard*. As I have previously stated in the House, the managers of the publication are very anxious to consult the wishes of Members generally. With regard to the question of reporting I dare say the right hon. Gentleman knows that the Committee who investigated the matter, and upon whose Report the present arrangements were made, were unanimously in favour of the reports being in the first person. I have received a letter from the Editor in which he informs me that he intends during the next week or so to take a sort of poll, by circular or otherwise, in order to arrive at the wish of the majority of Members on the subject, and upon that expression of opinion he proposes to act.

MR. H. H. FOWLER: Of course those hon. Gentlemen who are reported *verbatim* will not object to a continuance of the present system. But Members who, like myself, have two or three sentences reported, like to have them in the

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third person, and not put down as the whole of their speech.

MR. JACKSON: I am sure that the right hon. Gentleman is doing himself an injustice. I am certain he would not be reported in that way.

IRISH RESIDENT MAGISTRATES.

MR. SEXTON (Belfast, W.): I beg to ask the Solicitor General for Ireland whether the Divisional Commissioners still continue on the list of Irish Resident Magistrates; if not, out of what fund is it proposed to pay these officials, and what is the amount of salary and allowance to be paid to each?

MR. MADDEN: The four Divisional Commissioners who were Resident Magistrates do not still continue on the list of Resident Magistrates. They are provided for in the Estimate for 1889-90 for County Court Officers, &c. (Ireland), under the head of "executive officers." The salary to be paid to each is £1,000 a year. They are also entitled to be recouped their actual expenses of locomotion, and to receive a subsistence allowance of 21s. for each night necessarily absent from head-quarters on duty. Postage and other incidental expenditure is also refunded to them.

THE HYDERABAD DECCAN MINING CONCESSION.

MR. LABOUCHERE (Northampton): I beg to ask the Under Secretary of State for India whether the Secretary of State has come to any decision as to the confirmation of the Hyderabad Deccan Mining Concession; and, if so, whether he will communicate the terms to the House?

SIR J. GORST: The parties interested have been communicated with, and the Secretary of State is now awaiting a reply.

MR. LABOUCHERE: May I ask if any communication will be made to the House before the end of the Session with regard to the ultimate decision of Her Majesty's Government?

SIR J. GORST: That does not depend upon the Secretary of State, but on the parties interested. The Government cannot give an ultimate decision until the correspondence is at an end.

CONDEMNED ARMY CLOTHING.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War

whether, in addition to the fact that all the condemned clothing of the Army in Great Britain and Ireland has been sold in one lot by contract for three years in advance, a similar contract for three years was also made, to run from 1st April, 1886, for the condemned Army clothing at stations in the Mediterranean (Malta, Gibraltar, Cyprus, and Alexandria); what was the amount realised by such contract; and, whether it is the fact that this contract, which recently expired, has been renewed without competition?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): The facts are as stated; but relatively to the home contract, the amount is small. It is under £4,000. It has been temporarily renewed, but there are special circumstances connected with it that may make it desirable to terminate it on the 31st March.

CHINESE IN AUSTRALIA.

MR. WATT (Glasgow, Camlachie): I beg to ask the Under Secretary of State for Foreign Affairs whether he will state if negotiations are still in progress between Her Majesty's and the Chinese Governments with reference to the importation of Chinese into the Australian Colonies; and whether Her Majesty's Government have directed inquiries to be made as to the statements which have appeared in the press, to the effect that the northern territory (known as tropical Australia) is unsuitable for white labour, and as to whether Chinese and Coolie, or other, labour is most suitable and economical?

*SIR J. FERGUSSON: I explained on the first day of the present month the position of the matter referred to. At present the Australian Governments are taking the necessary steps to carry out the agreement arrived at in the Inter-colonial Conference. As regards the second paragraph, it is well known that in tropical Australia, as well as elsewhere in the tropics, coloured labourers are better suited than white men for hard work out of doors.

THE MUZZLING ORDER.

MR. LAWSON (St. Pancras, W.): I beg to ask the Secretary of State for the Home Department whether the London County Council have taken any action with regard to the muzzling order

issued by the Privy Council; if not, whether the Commissioner of Police will act on his own authority; and, if so, whether this course will accord with the provisions of the Act in question?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E): The London County Council have not yet taken any action with regard to the Order in Council, but, as the Order is not yet in operation, the Local Authority is not yet in default. If the County Council becomes in default, the power conferred on the Privy Council by the Act of 1878 may be used. The Commissioner of Police would not act on his own responsibility, but only as prescribed by the Act.

IRELAND — ROSCOMMON WATERWORKS.

MR. HAYDEN (Leitrim, S.): I beg to ask the Solicitor General for Ireland whether any steps have yet been taken to bring about an agreement between the Local Government Board and the Roscommon Board of Guardians as to the question of the contributory area for the waterworks, so that the people of Roscommon may obtain what is admitted to be a much-needed water supply for the town; and, in the event of no such agreement being arrived at, what steps can be taken to prevent the people of the town being deprived indefinitely of the water supply?

MR. MADDEN: The Local Government Board have not changed their views as to the contributory area on which the town of Roscommon should be charged. The Local Government Board having determined the area of charge, the responsibility of providing the water supply rests upon the Sanitary Authorities.

MR. CECIL ROCHE, R.M.

MR. HAYDEN: I beg to ask the Solicitor General for Ireland whether an increase of salary has recently been given to Mr. Cecil Roche, R.M.; and, on what date was the increase given, and for what reason.

MR. MADDEN: I must ask the hon. Gentleman to postpone that question until to-morrow.

INDIAN RAILWAYS.

MR. CAINE: I beg to ask the Under Secretary of State for India if it

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is true, as stated in page 11 of a Paper read before the East India Association by Mr. A. K. Connell, and published by that Association, that, in spite of the refusal of the Parliamentary Committee of 1884 on Indian Railways to sanction the approbation of any portion of the Famine Insurance Fund to guarantee interest on capital raised for Indian Railways, a portion of that fund has, in 1886-8, been hypothecated, to pay interest charges on capital raised by the Indian Midland and Bengal Nagpore Railway Companies?

SIR J. GORST: There is no such thing as a Famine Insurance Fund, which cannot, therefore, have been hypothecated. But in December, 1885, the then Secretary of State sanctioned the charge against the Famine Insurance Grant during the ensuing five years of the interest on capital raised by the Indian Midland and Bengal Nagpore Railway Companies.

SEVERE SENTENCES—CASE OF CHARLES TRIPP.

MR. LABOUCHERE: I beg to ask the Secretary of State for the Home Department whether he has noticed that at the Borough Court at Colchester, last Wednesday, Charles Tripp, an old soldier, who was on his way to visit his son at Aldershot, and who had expended £5 which he had had on starting from Yorkshire on his journey, was sentenced to 14 days' hard labour for sleeping in a shed, in which he had taken shelter on a storm coming on?

MR. MATTHEWS: I have made inquiries into the case, and I am informed that it is not the fact that Tripp was sent to prison for sleeping in a shed in which he had taken shelter from a storm. He was sentenced to a fortnight's imprisonment because he had been habitually drunk and because he was found sleeping in a barn the worse for drink, with loose matches in his pocket.

THE NAVAL REVIEW.

MR. JAMES MACLEAN (Oldham): I beg to ask the First Lord of the Admiralty whether he is aware that a circular letter has been sent to the representatives of the Press by Mr. Evan Macgregor, Secretary to the Admiralty, informing them that H.M.S. *Scalawag*, having been set apart for the convey-

ance of newspaper correspondents to view the fleet and witness the naval inspection; they are at liberty to embark in the *Seahorse*, on Friday, 2nd August, and again on Saturday 3rd August; that ladies will not be admitted on board; and that correspondents must make their own arrangements with regard to refreshments; whether it has been customary on such occasions to invite newspaper correspondents as guests, in the same way in which Members of the Houses of Lords and Commons are invited; whether he can state the reasons for the different arrangement that has now been made; and, whether, as the correspondents must be on board by 9.30 a.m. and may be unable to communicate with the shore till late in the evening, the Admiralty will at least engage a contractor to have refreshments on sale in the *Seahorse* during the day?

LORD G. HAMILTON: I am cognizant of the general arrangements for the Naval Review; but as the special accommodation provided for the Press is under the control of the Commander-in-Chief at Portsmouth, I am sure that he will be glad to consider any change, within limits, which will meet their convenience. At the Jubilee Review accommodation and refreshments were provided for about 7,000 persons, including the Press, at the public expense. The occasion was a very exceptional one, and must not be regarded as a precedent applicable to inspections made of the ships annually mobilized for manœuvres.

MR. J. MACLEAN: Does not the noble Lord regard this as an exceptional occasion—the inspection of the largest fleet assembled in British waters in recent years, and is there any reason why the course adopted on the occasion of the Jubilee Review should not be followed now?

LORD G. HAMILTON: I hope that mobilization is not an unusual event; and I hope that next year there will be a bigger Review. It is inadvisable that the Admiralty should be regarded as being responsible for providing accommodation for those perfectly well able to provide for themselves. If the hon. Member regards what was done on the occasion of the Jubilee Review as a precedent, I beg to state I do not regard it from that point of view.

MR. HAMILTON (Southwark, Rotherhithe): May I ask what arrangements have been made for special trains to and from Portsmouth on the occasion of the Naval Review?

LORD G. HAMILTON: The responsibility of the Admiralty so far as concerns the accommodation of Members of the House for the 3rd of August begins and ends with the ships which will be in readiness in the dockyards to convey them to Spithead. The Railway Companies have undertaken to run special trains both to and from Portsmouth. Particulars relating to such trains will be found on the back of the tickets giving admission to the troopships appropriated to the service of the Legislature.

SWEATING BY ARMY CONTRACTORS.

MR. HANBURY: I beg to ask the Secretary of State for War whether his attention has been called to the following evidence given before the Committee on Sweating by the Director of Army Contracts—

"The evidence given before your Lordships has tended to show that our contracts have been used for some years as a vehicle for sweating . . . and that the whole of the sweating business has been carried out almost under the protection of the War Office;"

that "after reading the evidence" he put himself in communication with some of his contractors, and then found on inquiry that the prices for valises, for instance, "had gone gradually down and down until really they were perfectly shameful," and that "with regard to Colonel Wallace's valise the price had been 10d., and that the fair price to pay was 1s. 4d," or 60 per cent more; who is responsible for having conducted the Contract Department of the War Office for some years in a manner which made such a state of things possible, and left it to be made public only by an outside body unconnected with the War Office, or whether nobody is responsible; whether it is still the fact, as admitted in evidence by the same Director of Contracts, that "it is nobody's duty to find out whether the Factory Clause is carried out in Government Contracts," that being the chief guarantee against such abuses in future; and what other steps have been taken to secure that British troops shall not under such a system be supplied with

SIR G. CAMPBELL: May I ask whether the sons of the Prince of Wales do not receive certain sums for their connection with the Services of the Army and Navy; whether His Royal Highness does not occupy Marlborough House rent free; and whether there is not other property that comes from a public source—namely, the savings of the Duchy of Cornwall during the minority of the Prince?

*MR. W. H. SMITH: The hon. Gentleman has full opportunity of answering those questions for himself. The total amount received by the Prince's two sons amounts to £400 a year between them.

SIR G. CAMPBELL: I beg to give notice that I will move to modify the Amendment of the hon. Member for Northampton (Mr. Labouchere) by substituting the name of Her Majesty for that of His Royal Highness the Prince of Wales, on the ground that the House, while acknowledging the readiness of Her Majesty to promise that no further demands shall be made for the younger branches of the Royal Family, is of opinion that the present means at the disposal of His Royal Highness are adequate.

MR. A. L. BROWN (Hawick, &c.): I beg to ask the First Lord of the Treasury whether the Report and Appendices of the Committee on Royal Grants contain the whole of the information presented to the Committee as to the savings of Her Majesty; and whether the House is to understand that the sum total of Her Majesty's savings is at present a little over £800,000?

*MR. W. H. SMITH: The Report of the Committee on Royal Grants contains the documentary information presented to the Committee; but in the course of its discussion Members of the Government who were Members of the Committee gave confidential information that was within their own knowledge. The House is to understand that the amount stated in the Papers is the amount of savings paid over to the Privy Purse; but whether the total of Her Majesty's savings are more or less than that amount I decline to state.

LIGHTHOUSE ILLUMINANTS.

DR. CAMERON (Glasgow, College): I beg to ask the President of the Board of Trade whether, in compliance with

the memorials sent to Her Majesty's Government in several Sessions of Parliament from shipowners of Glasgow, Liverpool, Newcastle-on-Tyne, and other seaports, asking for an investigation into the Trinity House Report on the South Foreland experiments with lighthouse illuminants, amongst which was a memorial sent by shipowners of Glasgow to Lord Salisbury last year, signed by 53 important shipowning firms of that city, and containing the text of similar memorials from shipowners of Glasgow to the Board of Trade in 1886 and 1887, to which 20 and 43 signatures were respectively attached, all strongly urging further investigation into that Report, the Board of Trade have appointed a Committee, consisting of Sir George Stokes and two other Members of the Royal Society, to report to them on the particular point as to whether the conclusions of the Trinity House Report are justified by the records of the experiments contained therein; whether the terms upon which the shipowners agreed to this reference were stated by Mr. Wigham, in a letter to the Board of Trade, to be that it should be an essential part of the reference that the Committee should receive such evidence and explanations as might be submitted to them, with the object of elucidating his allegations and those of the shipowners; whether Mr. Wigham has formally tendered to the Committee these explanations and evidence, and what time has been fixed by the Committee to receive them; whether any steps have been taken by the Committee to make it publicly known that such evidence will be received; and, whether the inquiry will be publicly conducted, so that shipowners and others interested may be present and tender evidence should they desire to do so?

*SIR M. HICKS BEACH: After protracted correspondence I requested the President of the Royal Society in April last to nominate, in consultation with his Council, a small Committee of that body, which he very kindly consented to do, and the reference made to them was as follows:—

"Whether the conclusions of the Trinity House, as set forth in their Report on Lighthouse Illuminants, are justified by the record of the experiments contained therein."

I am not aware how far Mr. Wigham has been authorised to represent the

shipowners named in the question; but he unconditionally agreed to this inquiry. It is within the discretion of the Committee to receive such evidence as they may think desirable to enable them to decide upon the point at issue; but I have no information as to what steps have been taken by the Committee, nor does it seem to me desirable or expedient that I should interfere with their discretion as to the mode in which the reference is conducted.

TITHE RENT CHARGE BILL.

MR. DILLWYN (Swansea): Is it intended to proceed with the Tithe Rent Charge Bill to-night?

*MR. W. H. SMITH: No; I think it is obviously impossible that it can be taken either to-night or to morrow.

STANDING ORDER 25 (CLOSURE OF DEBATE.)

Return ordered—

"Respecting application of Standing Order 25 (Closure of Debate) during Adjourned Session 1888 and during Session 1889, in the same form and in continuation of Parliamentary Paper, No. 332, of Session 188."—(Mr. John Ellis.)

ADJOURNMENT MOTIONS UNDER STANDING ORDER 9.

Return ordered—

"Of Motions for Adjournment under Standing Order 9, showing the date of such Motion; the name of the Member proposing; the definite matter of urgent public importance; and the result of any Division taken thereon, in the Sessions of 1889 and 1869, in the same form as and in continuation of Parliamentary Paper, No. 0.130, of Session 1887."—(Mr. John Ellis.)

ALIENS.

Ordered—

"Address for Return showing the names of all Aliens to whom certificates of naturalisation have been issued since the 8th day of August, 1858 (in continuation of Parliamentary Paper, No. 336, of Session 1838.)"—(Mr. Lawson.)

PUBLIC PETITIONS COMMITTEE.

Fifteenth Report brought up, and read; to lie upon the Table, and to be printed.

MESSAGE FROM THE LORDS.

The they have agreed to the Winchester Burgesses (Disqualification Removal) Bill, Master and Servant Bill, Amendments to Board of Agriculture Bill, and Advertisement Rating Bill.

ORDERS OF THE DAY.

THE ROYAL GRANTS.

Message from the Queen [Prince Albert Victor of Wales and Princess Louise Victoria of Wales] [2nd July].

Order for going into Committee read.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): Mr. Speaker, I wish to make a very few observations, and in doing so I hope that I may not be betrayed into any topic which will raise controversy to a greater extent than has been already indicated by the Amendment which has been put on the Paper by the hon. Gentleman the senior Member for Northampton (Mr. Labouchere). It is my desire, and the desire of the Government, that in dealing with this important question we should endeavour, as far as possible, to do so outside the region of Party, and with a due regard to the great interests of the country which are involved in it. There is another observation which I wish to make, and it is this—that if by any accident I should bring the name of the Sovereign into the Debate it must be understood that the responsibility rests on the Ministers for anything that is done in the name of the Sovereign. It must be understood that Her Majesty's Ministers are responsible for the advice which they give to the Crown, and that it is they, and they alone, who are responsible, and who must bear the consequences of any failure on their part to give good advice. The Motion which I have now to make includes something more than the simple consideration of Her Majesty's Gracious Message. It will be in the recollection of the House that it was felt to be desirable that the Message from the Throne should be referred to a Committee to consider the practice of this House with regard to provision for members of the Royal Family, and to report to the House on the principles which in that respect it would be expedient to adopt in the future. The Committee have taken, I think, unusual pains to acquaint themselves with the practice of the House in the past. The recommendation of the Committee goes beyond the recommendation of provision for the family and children of the Queen.

Reference to former practice, and to the principles which may be adopted in future, takes us back to precedents extending throughout the reign of George III. and George IV. and William IV., and these precedents were found to be in active operation when Her Majesty ascended the Throne. These precedents must be taken as greatly influencing the action of Parliament in 1837, when it settled the Civil List of Her Majesty. There is evidence that they were taken into consideration then and in subsequent proceedings in this House, when Messages were brought down from the Throne asking for provision for the members of the Royal Family. But when we recite former precedents, we do so in order that we may interpret the Civil List Act—the Act which has been considered as making provision for the honour and dignity of the Crown, without, in the judgment of Her Majesty's Ministers, making provision for the children of the Sovereign, or of the children of the Heir to the Throne. These precedents are the interpretation of the Act of 1837 and of the previous Act of 1831. But the principles on which the provision shall be made for members of the Royal Family in future rests with the wisdom of Parliament in the future, when it deals with the Civil List Act again on the demise of the Sovereign, whenever that should happen—and I am sure I express the general and unanimous feeling of this House that it is our most anxious hope that that occasion may be long delayed. The principles on which we are acting must be determined by the virtual compact between the Crown and the people made under the existing Civil List. The Report which has been presented to the House shows that the annuities charged upon the Consolidated Fund in 1837 for the support of members of the Royal Family amounted to £277,000, after allowing for the surrender of the amount which the King of the Belgians did not then draw. They now amount to £152,000. This at least shows that there has been a due regard paid to the interests of the country, while the provision which has been made for the members of the Royal Family has been moderate and in reason. The Debates which took place in 1837 showed no departure from the precedents. The language of Mr. Spring Rice, the Chancellor of the

Exchequer of the day, was that it was necessary, in the opinion of Her Majesty's Government of that time, to make adequate provision to prevent the Crown from incurring debt. I am always reluctant to ask the House to listen to extracts; but this is a question of so much importance that I venture to ask the House to listen to the words which Mr. Spring Rice used on that occasion. He said:—

"We wish to make such arrangement as will carry us through this reign—which I hope will be as long as happy—without constant appeals to Parliament, without contraction of debt. Inasmuch as that reign may be long, it behoves us to consider it with care and to weigh well the steps we are about to take, because I admit that when that step is once taken I, for one, should be ready to plead that arrangement in bar of any proposal to reconsider the Civil List. But the Committee should remember that we are fixing a Civil List for a reign which all hope will be long, and therefore it ought to be fixed on principles which will not lead to debt on the part of the Sovereign, or to future applications to Parliament for aid to the Civil List. Looking forward to a protracted reign, I consider that it is the wisest and the best economy on the part of Parliament to make such arrangements in the outset as will prevent the possibility of debt."

The possibility of debt, the avoidance of debt, was the note which rang through the speech of Mr. Spring Rice; it was the note which rang through the whole of the Debate; and that note had reference to the demands which had been made to Parliament repeatedly during the reign of George III. for sums of money to pay debts which had been incurred on the Civil List. I have only to refer to the knowledge and experience of every Member of this House when I say that we are proud of the fact that no application whatever has been made to Parliament for the payment of a debt on the Civil List during Her Majesty's reign; and that this arrangement, made in 1837 to prevent the possibility of that debt, has been thoroughly and wisely carried out on the part of the Crown. Throughout the whole of these Debates there has been no suggestion that it was the duty of the Sovereign to make provision for the Royal Family, nor at any period up to the present has there been such a suggestion in the Debates of Parliament, or from any authoritative source. I am prepared to say that there is no indication that any Minister of the Crown

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during Her Majesty's reign has at any time felt it to be his duty to make representation to the Sovereign that it was the duty of the Sovereign to make provision out of the resources of the Civil List for the members of the Royal Family. There is not an indication of any character from beginning to end of the Debates which have occurred during the whole of this reign that would lead to such a suggestion; but, on the contrary, the assertion of responsible Ministers has invariably taken the opposite direction. I will not refer to the observations which have fallen from the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone), when it has been his duty in the course of the present reign—and, as the right hon. Gentleman said the other evening, it has perhaps been his duty more frequently than any other Minister in the present century—to move for these Grants. I do not refer to him in support of the view which I maintain, because I am perfectly certain that he would be quite ready to accept the doctrine which I laid down—that up to the present time it has never been urged that it was the duty of the Sovereign or of the Prince of Wales to make provision for their own families; and, further, I maintain that in the settlement of the Civil List, and in the provision which has been made from time to time for members of the Royal Family, that reservation has been distinctly in the mind of Parliament and Ministers. There is one very singular Debate which took place in 1843, and that year was only six years after the accession of Her Majesty to the Throne. Sir Robert Peel was then moving for the provision for the Princess Augusta of Cambridge, the daughter of a younger son of George III. In meeting the objection of the hon. Member for Montrose, Mr. Hume, who began his speech by saying—

"I will refer to the preceding precedents, and I will ask whether you have any authority from these preceding precedents to make this grant?"

Sir Robert Peel said—

"I was very glad to hear the hon. Gentleman make that appeal, for if he does attach weight to precedent he will be bound to give his vote in favour of my Motion. I will first take the Princesses of the Royal Family, daughters of George III., the Duchess of Gloucester, and the Princess Sophia. In each of these cases the provision was £16,000 per annum."

I think Sir Robert Peel was wrong, and that it was only £14,000—

"And in the case of a Princess more remotely allied to the Sovereign than the Princess Augusta, Princess Sophia of Gloucester, the provision was £7,000. In this instance the provision is only £3,000."

I mention this in order to show that in 1843 the Sovereign not only had no notice or indication of any change in the intentions of Parliament with regard to the provision necessary to be made for the members of the Royal Family, but that for six years after the year of her accession the practice of Parliament in the past was renewed and confirmed; and there was every reason to believe that the contract of 1837 would therefore be carried out on the principles on which previous contracts had been carried out by Parliament. The Government had to consider the question. There was a Committee appointed to which the whole subject was referred; and it must be allowed by those who would do justice to the responsibility of Ministers that it was their plain duty to uphold what they believed to be the Parliamentary credit and the rights of the Crown. Neither did we think it right and just to negative or withdraw any of the claims of Her Majesty; but Her Majesty has in her own discretion directed that they shall not be pressed on the consideration of Parliament, so far as the younger sons and daughters are concerned. Therefore, at the present moment the Government have before them the practical question of what provision should be made for the children of the Prince of Wales, and especially with regard to Prince Albert Victor and Princess Louise. I have no doubt I shall be told that the Government have not adhered to their original proposals. If that is a ground for complaint against the Government, I am perfectly prepared to bear whatever consequences may attach to the Government for that departure in appearance from the original proposals. I confess to an earnest desire in dealing with a question of this kind to avoid, as far as possible, all controversy. Some think it is the highest form of political life; but in dealing with this question I do desire to attract, as far as possible, the support and the cordial concurrence of those who ordinarily differ from us in political matters. It would be a deep

cause of sorrow to me if, by any fault of mine or of the Government, we entered into an embittered controversy on questions which I believe to be of vital moment to the interests of this country. If blame is to be attached to the Government for endeavouring to avoid dragging the sacred institutions of the country into the political arena—if blame is to be attached to the Government for endeavouring to meet in this question those who are ordinarily their political opponents—I am quite prepared to accept the blame and the responsibility. What are the facts of the case? We thought it fair to indicate to the Committee the general principles on which, in the opinion of Her Majesty's Government, it was right to proceed; and we indicated a scheme. I can understand that the opponents of all Grants would oppose that scheme or any other. The hon. Member for Northampton (Mr. Labouchere) was candid and clear in the course he took. He does not consider that any scheme or proposal made by the Government would be acceptable or ought to be accepted by the House. I confess that I am unable to realise the position of those who demur to a Grant which they admit to be reasonable. That is the view which I, for my own part, entertain on this matter; but hon. Gentlemen have, of course, the right to entertain their own opinions. Now, let us come to the consideration of the question as it affects this particular Grant. The settlement as regards the Prince of Wales was made in 1863. If hon. Gentlemen turn to *Hansard* they will find that Lord Palmerston in that year proposed that £40,000 should be granted for the separate use of the Prince, and £10,000 for the use of the Princess of Wales, the Duchy of Cornwall being calculated to produce £60,000 a year. At that time the Duchy of Cornwall did not quite produce that sum; but the estimate which Lord Palmerston formed on that occasion has been nearly realised, a little more or a little less, during the interval which has elapsed between 1863 and 1889. I maintain that it was never contemplated, when this provision was made, that the Prince of Wales should be called upon to make provision for his family out of this income. In the course of the Debate the Chancellor of the Exchequer of that day said that it

was obviously impossible for the Princess to pay out of her jointure for the education of her children. No application has been made to the House for the cost of the education of her children; and it has only become necessary now when Prince Albert Victor becomes qualified to undertake the duties which belong to his high station, and which render it necessary that an establishment should be found for him. As to the general view of the Government with respect to the provision which should be made, I see it stated that if that view had been carried out £49,000 a year would have been chargeable on the Consolidated Fund. That is true, supposing all the children of the Prince of Wales had come at once into the possession of the maximum amount which the Government suggested should be granted to them; but there is no probability of their coming into the enjoyment of that sum immediately. The view urged on the Government of preventing the necessity of repeated applications to Parliament is an exceedingly wise one; and the suggestion which fell from the right hon. Member for Mid Lothian, that a single Grant should be made to the Prince of Wales for the benefit of his family, to be applied in certain sums and under certain conditions, was thought to be an exceedingly useful one. We accordingly adopted that principle, and the figure which appeared in the first instance in the Report of £40,000 is expressive of the liability which would come upon the country under the conditions we referred to. No doubt I shall be exposed to some blame by my hon. Friends behind me when I, on the part of the Government, did not contest the suggestion made by the right hon. Gentleman opposite that the figure should be reduced from £40,000 to £36,000. I regard a question of this kind as of so great importance that I was bound to some extent to conciliate the support of those who possessed greater experience in the past, and more responsibility with regard to questions of this kind; and, therefore, I think I acted wisely in allowing my own judgment to give way to the desire of the right hon. Gentleman. I do not think myself that the sum should have been less than £40,000; but I value the concurrence and the experience of the right hon. Gentleman in

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a question of this kind as of even greater importance to the Prince of Wales and the Royal Family than the difference between £40,000 and £36,000. I say frankly, therefore, that on those grounds I concurred, and the Committee concurred, in the suggestion made by the right hon. Gentleman. But how is this question to be met? The hon. Member for Northampton proposes that the responsibility for making the provision should be thrown on the Sovereign, upon whose income it has never been suggested in any degree whatever that such a charge should be made. It is actually proposed by the hon. Member that this charge should be placed on the Sovereign, whose strict discharge of every Constitutional duty, whose personal observance of every condition which a Constitutional Sovereign can discharge to the benefit of her people, in a reign which has been remarkable for a great extension of the political liberties of the people, and still more for the progress and prosperity of the country—it is proposed by the hon. Member to tell the Sovereign that precedent and practice have no binding force, and that it is usual to make provision for the children of the Prince of Wales out of the Civil List. The Civil List is an Act of Settlement for the reign; it is a compact between Parliament and the Sovereign for her lifetime; and yet it is suggested that it should be compulsorily revised after the Sovereign has reigned for 52 years. I do not believe that the country has the slightest desire to follow the hon. Gentleman. I do not believe that there is any section of the people who grudge to Royalty the moderate amount of money which is necessary to maintain its dignity. I believe, relatively to the ancient revenues of the Crown, and still more to the resources of the country and its incomes, the amount now asked is moderate and even small, meaning, as it does, a fraction of 1d. on the Income Tax. Putting aside for a moment the loyalty and the affection entertained by the vast majority of the people, I am convinced that if examination is made into the system of government under which we live, if comparisons are made with the systems of government in any other civilised country, it will be found that our system is economical, while it

provides for the country a stability which is invaluable, and a Chief and a Head who has obtained the respect and the affection not only of the people of this country, but of all English-speaking peoples. I move, Sir, that you now leave the Chair.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

*MR. LABOUCHERE (Northampton): It seems to me, Sir, that the truth of the statement contained in the right hon. Gentleman's peroration as to the cost of systems of government in other countries is somewhat doubtful, considering that the President of the United States receives only £10,000, while Her Majesty and Her Majesty's Family cost about £700,000. I can assure the right hon. Gentleman at the outset that I have not the slightest intention of dragging "the sacred institutions of the country into the arena of politics." But I think the House has a right to complain of the action of the right hon. Gentleman. It is like the charge of Balaclava; it is very noble but it is not consistent with the ordinary practice of the House. Whenever the right hon. Gentleman and his Colleagues get into a mess the First Lord of the Treasury generally rises and says, "I alone am responsible; receive me as a scapegoat." One would suppose that the right hon. Gentleman was offering his head. What, in the name of goodness, is the House to do? We cannot punish the right hon. Gentleman. The right hon. Gentleman speaks as the Representative of the Government, and when the right hon. Gentleman cannot get out of any mistake he endeavours to do so by offering the House his head. We have no intention of accepting the offer; but the Government is responsible, as a whole, for every word spoken and every act done by the right hon. Gentleman himself. I think it is desirable that the House should precisely understand the position in which we stand. A fortnight ago a Message was sent by Her Majesty to the House asking it to make provision for two of the children of the Prince of Wales. At that time the Government were under a promise to appoint a Select Committee to look into the general question of all future Royal

Grants. But this Committee had been put off on what I cannot help calling, not only dilatory, but evasive pleas. It was, however, felt to be impossible to consent to any Grants without referring the whole question to a Committee, especially after the promises that had been made. Therefore, two points were referred to the Select Committee which was appointed—one, to report upon any general system that was to be adopted in regard to future Royal Grants; and, secondly, to report upon Her Majesty's Message to the House in respect of the two particular Grants asked for in Her Majesty's Message. The Committee sat several times, and exhaustively entered into the whole question of precedents and principle. The result was that a Report with Appendices has been presented, and of which the House is in possession, which states the views of the Committee, together with the different statistics on which they base their opinions. It cannot be said, therefore, in any sense that the House has not considered the Message of Her Majesty. The House referred it to a Committee, and the Committee has reported to the House, and the Report is now before us. It seems to me that the position I take up is the logical outcome of the opinion that no further Grants, under any circumstances, ought to be made. The proposal before the House is that you leave the Chair, Sir, in order that the House may go into Committee, and pass the Resolution in Committee, which is technically necessary, before a Money Bill can be introduced. If it were not for that necessity the right hon. Gentleman would say, "You have had your Report; you have had time to look into it, and we will now bring in a Bill." I have seen it stated that to oppose the Motion "that the Speaker do leave the Chair" is to show some sort of act of discourtesy to Her Majesty—that it is practically to say that the House will not consider the Message. My reply is that the House has considered the Message, and that, practically, if the Motion of the First Lord of the Treasury be carried it will not be to consider the Message, but to take specific action upon it. I think the course I am pursuing is most courteous ["Oh!"]—yes, most courteous—in view of the fact that I am prepared to

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oppose these Grants. The Amendment shadowed out by a right hon. Friend of mine is to the effect that the Grants should be refused because the principle has not been laid down in the Report that, in future, no Grants of a like character shall be given. Personally, I should be in an embarrassment if such an Amendment were proposed. I am not prepared to say I should have assented to these Grants if there had been any finality laid down in the Report. I want the finality *qui et nunc*. I want to start with finality—not to end with it. The action of the Government, on the other hand, has been worse than discourteous—it has been simply indecent in regard to this matter. They came with a Message from the Crown, and they chaffered and bargained over it in Committee in a way that tended more than anything proposed on the Opposition side to lower the respect which ought to be entertained by all in this House for Her Majesty. My action, I claim, on the other hand, has been perfectly frank, open, honest, and definite. I consider that Her Majesty and Her Majesty's Family have sufficient funds, and that if there are not sufficient funds, then I indicate in my Amendment sources from which they may be obtained without any appeal to the taxpayer. In order to show this, I must call attention to what took place in the Committee, and to the Report of the Committee. Her Majesty's Ministers made certain proposals to the Committee. Those proposals were that the elder son of the Prince of Wales should receive at once £15,000, and an additional £10,000 when married; that the second son of the Prince of Wales should receive at once £8,000, and £5,000 when married; and that the elder daughter of the Prince of Wales, now about to be married, should receive an annuity of £3,000, and that an annuity of the same amount should be granted to the younger daughters of the Prince of Wales, when married. Not only were the children of Her Majesty to be provided for, but provision was to be made for the unborn grandchildren of the Queen. It was proposed that we should consent to the principle that a proper maintenance should be given to the children of the younger sons of the Sovereign, and that we should also make a condition that the younger sons

should insure their lives in order to make an adequate provision for their children. That means, of course, that Parliament is to make adequate provision plus an amount for insurance. This claim, however, as the right hon. Gentleman has said, was not persevered in. A suggestion of a compromise was made from the Liberal side of the Committee. The Government accepted the suggestion on the ground, as was said, that there might be a moral unanimity, and the hon. Member for Morpeth (Mr. Burt) at once stated that unanimity would not be secured by any such compromise; I suppose we were looked upon as somewhat *negligeable* quantities and irresponsible persons, and that without us this moral unanimity might be obtained. Practically, the Report, in its final form, amounts to this—it gives Grants to the children, it recognises the claims of the younger children of the Sovereign; at the same time it notes that Her Majesty waives those claims during her reign. Now the right hon. Member for Mid Lothian (Mr. Gladstone) was in favour of a grant being given. The idea at first was that a *quid pro quo* should be secured—that the Government on their part should assent to a declaration on the part of the Committee that the younger children of the Sovereign have no sort of right to their children being provided for out of the public funds. This *quid pro quo* fell through, and so far as the Report goes is non-existent. Notwithstanding that the *quid pro quo* was not obtained, the Member for Mid Lothian is still in favour of a certain amount of money being granted to the Prince of Wales for his children. I do not complain of the right hon. Gentleman. The right hon. Gentleman's supporters will recognise that he occupies in this matter a somewhat peculiar and exceptional position. I am inclined to think, indeed, that the country ought to be exceedingly thankful to the right hon. Gentleman. The first plan was to give £49,000 to the children of the Prince of Wales.

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): Not immediately.

*MR. LABOUCHERE: A good deal would have come in immediately, but the ultimate sum to be given was £49,000. Thanks to the suggestion of the right hon. Gentleman the Member for Mid Lothian that figure was reduced

to £40,000, and again, on the right hon. Gentleman's Motion, to £36,000. The right hon. Gentleman also induced the Government to make a declaration waiving the claim of Her Majesty to any Grants during Her Majesty's reign to her grandchildren. The House may estimate that these Grants would have amounted to an annuity of about £20,000 per annum, and, therefore, although I respectfully disagree with the right hon. Member for Mid Lothian in this matter, it ought not to be forgotten that by his presence and moral ascendancy he has saved the country an annuity of £33,000 per annum. Nor do I complain of the action of my right hon. Friend the Member for Newcastle (Mr. J. Morley). My right hon. Friend was opposed upon principle to all Grants; but he felt himself in the Committee much like a traveller who had to traverse a road infested by brigands. He was ready to pay a certain amount of blackmail in order to secure future immunity from the attacks of these brigands. But when my right hon. Friend came to the conclusion that he did not get security for this immunity, he naturally was not prepared to pay the blackmail; therefore, I have not the slightest doubt that my right hon. Friend will vote in favour of the Amendment which I intend to move. I understand that by the decision of the Committee the Prince of Wales will be in the position of a trustee; that he will merely receive the £36,000 with one hand and pass it over to his children with the other. That is a distinction without a difference. The Prince is put in as a middleman, and to all intents and purposes the Grant is to the children of the Prince of Wales. My hon. Friend the Member for Morpeth and myself in the Committee said from the beginning that we were opposed to all further Grants to any of the grandchildren of the Queen. We were not prepared to pay any species of blackmail in order to avoid future payments. We felt that the Queen has no claim, legal or moral, direct or indirect, for coming on the taxpayer for the maintenance of her grandchildren. This view we embodied in a Report, and in moving this Amendment I practically ask the House to agree that, under no circumstances, ought any fur-

ther Grants to be given to any junior members of the Royal Family. With regard to the Civil List, in Clause 6 of the Report of the Committee the word "surrender" is used, because in the Committee we got into a discussion as to the arrangement or bargain by which Her Majesty surrendered her life interest in the Crown Lands against the specific amount of the Civil List. I and my hon. Friend the Member for Morpeth absolutely and totally deny that Her Majesty has any sort of title whatever to the Crown Lands, except any such title as can be found to have been slipped in by the draftsman in two Bills—the first of King William IV. and the first of the Queen. We have been told that these Crown Lands were surrendered against the Civil List. As a matter of fact, if it be true that they were surrendered, and if there was any title to surrender, not only were they surrendered, but a large amount of hereditary revenue also. When the Civil List Act of William and Mary was passed the Resolution set forth:—

"As a just sense of acknowledgment of what great things His Majesty has done for this kingdom a sum not exceeding £700,000 be granted to His Majesty during his life for the support of the Civil List."

There was no claim to Crown Lands or hereditary revenues, and no sort of surrender. There was no statement of claim, and no surrender in the Civil List Acts of Queen Anne, George I., or George II. The first time it occurred was in the Civil List Act of George III., and then only in the Preamble. In the Act of George IV. it occurred again in the Preamble; and then, from the fact of the draftsman not having been well looked after, a sort of surrender was slipped into the body of the Act of William IV. and into the Act of the first of Her Majesty. As to the £700,000 to William and Mary, the Civil List Act was not then, as we now understand it, for the maintenance alone of the dignity and honour of the Crown and of the Household of Her Majesty, but for the civil government of the country; and that is why it was so much more than Her Majesty at present receives. Lord Brougham, speaking in the House of Lords in 1837, with all the authority of an ex-Lord Chancellor and an eminent lawyer, said, on the Civil List Act of Her Majesty:—

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"I should like to see the man amongst your Lordships, whether on the Ministerial or Opposition Benches, gifted with the confidence which must be exhibited by him who would affirm that the Duchy of Cornwall and the Duchy of Lancaster are private and personal property, and not public funds, vested in the Crown alone, and held as public property for the benefit of the State and as a parcel of the national domains. These revenues are just as much private property bestowed on former Monarchs for public purposes as the sum we are now adding to them."

But I have always thought that the question whether these Crown Lands and Hereditary Revenues were surrendered or not is, comparatively speaking, unimportant; because when Her Majesty came to the Throne, and when the Committee considered what amount it was desirable to settle on Her Majesty, they did not for one moment take into account what were the annual proceeds of the Crown Lands, or what were the Hereditary Revenues; there was no balancing one against the other; they took the bills of William IV., and tried to find out what was sufficient for the maintenance of the honour and dignity of the Crown, and the maintenance of the Household, and that sum they voted. As a matter of fact, the sum they voted was very greatly in excess of the Crown Lands at that time. The Crown Lands have increased since then; but even now, if we are to talk about a bargain, the best thing we could possibly do in the future would be to make no bargain, but to say to the Crown, take the Crown Lands, including the Duchies of Lancaster and Cornwall, maintain the honour and dignity of the Crown, maintain the household, maintain the Royal family, pay for the Civil Government of the country, and free us from any obligation.

LORD R. CHURCHILL (Paddington, S.): You will make worse of it.

*MR. LABOUCHERE: The noble Lord says we should make worse of it. That observation obliges me to go into figures. The Crown Lands we may take at £400,000 a year; the Duchy of Lancaster produces £50,000, the Duchy of Cornwall £60,000, making a total of £510,000 per annum. Then we pay £385,000 a year to Her Majesty, £60,000 to the Prince and Princess of Wales, £82,000 to the junior members of the Royal Family, and we are going to pay an additional £36,000. We also

pay £20,000 a year to the family of the late Duke of Cambridge. Those sums alone come to more than £510,000 a year, without alluding to the cost of the Civil Government.

LORD R. CHURCHILL: Does the hon. Gentleman allow for what I may call the unearned increment of the Crown Lands?

*MR. LABOUCHERE: I am so stupid that I cannot quite follow the noble Lord. At any rate, I think the bargain would be a good one. The noble Lord and I, however, cannot settle the question. Up to the reign of George III. Parliament did not vote a single shilling to either children or grandchildren of the Monarch. A lump sum was given to the Monarch for the maintenance of his family and his household and the civil government of the country. If the Monarch found that sum too small, he asked for more. There were frequent applications for more during the reigns of George I. and George II. The ground always was that the Crown was already in debt, and that the amount granted was not sufficient to enable him to maintain the honour and dignity of the Crown and the civil government and his family. It was perfectly true that Grants were made, not only to the children, but also to the grandchildren of George III.; but I do not look with any particular respect to the reign of George III. In the Appendices of the Report of the Committee it is stated that a Duke of Mecklenburg Strelitz—I confess I never heard of him until his name appeared in the Report—received an annuity because he was a nephew of the wife of George III.; therefore if we are to go back upon precedents, I would ask the House to bear in mind this remarkable precedent. When some dirty job in the past was to be done, the practice generally was to throw the cost on Ireland, and accordingly in this instance to Ireland was allotted the honour of supplying this gentleman with an annuity because he happened to be a nephew of Queen Caroline. I ask my hon. Friends from Ireland to note the fact that they had the pleasure, during the reign of George III. and long afterwards, of paying an annuity from Irish funds to this person because he happened to be the nephew of Queen Caroline. On Her Majesty's succession to

the Throne a Select Committee was appointed to look into the whole question of the Civil List. It took the bills of William IV., in order to form an estimate of what ought to be allowed. It did not consider for one moment what was the amount of the Hereditary Revenues of the Crown or what was the income of the Crown Lands, and a Bill was prepared on the Report of this Committee. I would also remind the House of this fact—that this Bill was brought in by the Liberals as the Liberals were in power. The Conservatives are not in the habit of asking for economies in these matters. I think we should have had a better Bill if the Conservatives had been in; they would, perhaps, have proposed a larger amount than £385,000; but the Liberals would have performed their proper function of cutting down considerably the amounts agreed to in the Bill. Now the Bill divides the amount of £385,000 into six classes. We will put aside one class, that of pensions, because that has nothing really to do with the matter. I put it then that, practically, there are five classes. Now I contend, and I always have contended, that, if there is an excess in one of these classes and no deficit in another of the classes, then at the end of the year the excess ought to remain undrawn in the Treasury. The Treasury, however, has taken an entirely opposite view: it has held that whenever there is an excess in any one Department that excess should go into Her Majesty's Privy Purse, which means, to all intents and purposes, her banking account. Let me read the clause in the Act which deals with this matter—

“ Provided always and be it enacted, That if any saving or surplus shall arise in any Quarter in respect of any Money appropriated for defraying the Charges of any particular Class, so as that the sum appropriated thereto shall be more than sufficient for the full and complete Payment of the Charges to the Account and Credit and be applied for the Purposes of the Class in which it shall have arisen, until the Thirty-first day of December in every Year; and whenever any such Saving or Surplus remaining at the end of the Year shall have arisen in any of the Classes of the Civil List, then it shall be lawful for the Lord High Treasurer, or Commissioners of the Treasury for the Time being, or any Three or more of them, to direct the same to be applied in aid of the Charges or Expenses of any other Class (except the Fifth Class), or of any Charge or Charges upon Her Majesty's Civil

List Revenues, in such Manner as may, under the Circumstances, appear to be most expedient."

Surely if it had been intended that the excess, if any, should go into the Privy Purse the clause would have said so in specific terms. I am not complaining of the right hon. Gentleman the First Lord of the Treasury acting contrary to my view, because it has been done since the commencement of the reign. If the House will again look at the Civil List they will find that Articles 2 and 3 really cover the salaries and expenses of the Household, and all the expenditure necessary for the honour and dignity of the Throne. Besides this, Class 4 provides £13,200 per annum for any charities Her Majesty may consider it her duty to grant. Further, there is an unappropriated balance of £8,040 in case anything more should be wanted. Let it also be remembered that whereas in former reigns the Sovereigns maintained palaces, yachts, and gardens, the nation under the present arrangement takes over the maintenance of palaces and gardens, and the building and maintenance of yachts. When all this had been arranged, £60,000 was granted to the Privy Purse, and in addition for Her Majesty's private uses the Duchy of Lancaster was left to her, which then produced £12,000 per annum. Consequently it was deemed at that time by those who framed and passed the Civil List that for Her Majesty's private uses £72,000 per annum was amply and fully sufficient. But at present the revenues from the Duchy of Lancaster amount to £50,000 per annum, and therefore Her Majesty's free personal revenue amounts now to £110,000. That is not all. Her Majesty has received during her reign from unexpended balances £824,000 of Classes 2-3, which is at the rate of £16,000 per annum, and we may presume that this is still being paid over to the Privy Purse. All this—what shall I call it?—pin money, received from the Privy Purse, the Duchy of Lancaster, and the unexpended balances, amounts to £126,000 per annum. But that is not all. It is admitted, I think, that there have been considerable savings, and we may reasonably suppose a considerable amount is invested in interest bearing

investments. It was suggested in the Committee—and I may refer to this as no answer was given me on the point by the right hon. Gentleman—that in all probability, in addition to what savings Her Majesty may now have, she has given large sums out of parental affection to her children. We are asked to provide for her grandchildren, but if her children have received, in addition to the Grants we have made them, large sums from the savings of the Privy Purse, we shall be paying twice over. The present position of Her Majesty is this. She receives, as I have said, for her Privy expenditure this £126,000, besides interest on any existing savings; it is admitted that she does not expend the amount of the income of her Privy Purse and the Duchy of Lancaster, and she has an income which amounts in excess of her requirements. Besides, she has large invested properties, owing to the fact that the amounts placed at her disposal by the House have been in excess of her requirements in previous years, and she is the possessor of Balmoral, Osborne, and Claremont, which are exceedingly valuable estates, and which might on her demise be sold for the benefit of her children, or grandchildren. We also know that, as a matter of fact, she does live in comparative retirement. I am not complaining of it. We also are aware that all the children of Her Majesty have been amply provided for, and that therefore there is no necessity of saving for them. From the facts, therefore, before us, and without prying into this and that private expenditure of Her Majesty, I assert that no necessity has been made out for an additional grant of annuities to Her Majesty's grandchildren. It is admitted that the income voted by Parliament to Her Majesty, together with what she derives from the Duchy of Lancaster, actually and positively leaves a handsome margin, out of which the grandchildren might be provided for. Where is the money Her Majesty has put by to go to? Of course it will go to her grandchildren in the natural course of things, and it will go to them in excess of any amounts which they may derive from their parents, owing to the handsome annuities we have given them, which enable the parents either to accumulate savings, or to make provision for their children by insuring their lives. But

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Ministers, I gather, hold that it is not necessary to prove necessity; that there exists an obligation. How do they prove it? Does the right hon. Gentleman show us a specific contract? No. Where is the bond? It is non-existent. The right hon. Gentleman proves the obligation in an indirect fashion. He says there were precedents in the reign of George III. for the grandchildren being provided for, and also one precedent of the grandchildren of George III. being provided for in the present reign, and that no notice has been given by resolution or by the Minister of the Crown to Her Majesty that those precedents would not be maintained. How could such a resolution be given? We are a practical body of men, and we know something of what takes place in this House. Can anybody imagine a Minister coming down to the House and of his own free motion proposing such a resolution? If any Minister had proposed making any declaration on the subject when there was no occasion for it, would not his colleagues have told him to leave the matter alone? No Minister of the Crown in his senses would think of courting discussion on the Civil List by any abstract resolution of the kind. The right hon. Gentleman read several passages from the speeches of Ministers when proposing Royal Grants, but I could see no specific declaration in them that the grandchildren of Her Majesty were to be provided for. Though it is true that there has been no specific declaration that grandchildren shall not be provided for, there has, on the other hand, been no declaration in the present reign that they shall, and in the speeches of the right hon. Gentleman the Member for Mid Lothian, who has proposed more Royal Grants than any other Minister, there is no trace of any direct or indirect declaration that in any way it was intended to give a grant to the children of Her Majesty's children. But if the thing is to be determined by precedent, then we must take the precedents of the reigns of the four Georges. All these Monarchs outran the constable, and asked Parliament to pay their debts. Parliament invariably did so, and if the precedents hold good in regard to Her Majesty's grandchildren, they should

also be followed in case of debts. If the right hon. Gentleman came down to the House and said Her Majesty had incurred a vast number of debts, we should, on this doctrine of precedent, be bound to pay them, because there were precedents that we had paid the debts of former Sovereigns, and her Majesty has not been fixed with notice that such precedent would not be followed in her own case. If it be said that Her Majesty is not obliged to save for her family because she was not fixed with notice to do so, the practical answer is that Her Majesty has saved, that Her Majesty has recognised her obligation as head of the family and has acted upon it. The Chancellor of the Exchequer has used the extraordinary argument that it would be ungracious to refuse what is asked, because Her Majesty has waived her claim to any provision for the children of her younger children; but Her Majesty did not at first do this. Her Majesty at first asked for provision to be made for the children of the sons, undertaking that, if the State did make that provision, she would take upon herself the provision for the children of her daughters. Be there a claim or not, I maintain that no claim ought to be made for any of her grandchildren, because there are in existence the means of providing for them, and if further means were to be provided, the country would be paying twice over. But I go further, and affirm that the extreme limit of our obligation is to provide for the children of the Sovereign; and a little reflection will show the necessity for such a limit. George III. had 13 children, and if each of his children had had as many, it is an interesting little sum to ascertain the number of descendants that would have to be provided for now. I am told that in Persia the number of relatives of the Shah of Persia provided for by the State amounts to 40,000, notwithstanding the peculiar means at the disposal of the Monarch to prevent his family increasing too much. There must be some limit, and I contend for the line of limit being drawn at the children of the Sovereign. For myself I would not vote in favour of even the younger children of the Sovereign being provided for, and I have opposed two or three Grants made by former Parliaments to younger children of the Sovereign,

to whom we have paid in hard cash something like £180,000, in addition to annuities. As to the children of the Heir to the Throne, while I contend that the Sovereign and head of the Family has sufficient means to provide for them, I further contend that the Prince and Princess of Wales can provide for them. The Prince and Princess of Wales have £50,000 a year charged on the Consolidated Fund. In 1863 the Revenues of the Duchy of Cornwall amounted to £46,000 a year, they now amount to £61,900; and from these two sources, therefore, the income of the Prince and Princess is £112,000. Besides this the Prince receives £1,500 from a sinecure as the colonel of some regiment. When the Prince came of age he had about £600,000 of accumulations from the Revenues of the Duchy of Cornwall. It is true Sandringham was bought out of this money; but I do not suppose it was all absorbed. Besides that there are a great number of palaces spread all over the country and maintained by the nation; and any of these not actually occupied by Her Majesty would have been at the disposal of the Prince of Wales. Therefore the country ought not to be called upon to pay additional money because the Prince and his advisers chose to buy an estate in Norfolk. Some people talk in a grand sort of way about money. I have never had the spending of £110,000, but I should think that a good deal of spending was to be got out of it. I should say that with that income the Prince of Wales could maintain the state and dignity of a great nobleman and at the same time provide for his children. Remember he has a town house kept up for him, and he pays no rent for his country house. The country would be astonished if the children of a nobleman went about saying their father had only £110,000 a year and consequently could not afford to give them any money. It is urged that the Prince of Wales fulfils many functions that would ordinarily be discharged by the Sovereign; but that is a family arrangement, and only affects the distribution of existing funds, the Civil List having been based on the assumption that these functions would be discharged by Her Majesty. It must be remembered that the Revenues of the Duchy of Lancaster have increased £38,000 a

year, and Lord Melbourne must have contemplated that increase as a provision for contingencies when the Civil List was fixed. The revenues of the Duchy of Cornwall have also increased by £15,000 a year since the income of the Prince and Princess of Wales was fixed at £50,000. Lord Palmerston estimated the revenues of the Duchy of Cornwall at £60,000, although up to then they had not averaged £40,000. His doing so was equivalent to saying that the children of the Prince and Princess were to be provided for out of them. The Resolution I submit goes beyond mere refusal, which might be ungracious, for it indicates sources from which money may be obtained, should there be any necessity, which assert there is not, for additional sums to be provided. The Committee of 1837 reported upon the salaries which had been paid to officers of State during the reign of William IV., and certain changes and reductions were made. Now, without the passing of a Bill, further reductions could be made if the intention of Her Majesty to make them provoked no protest from the House of Commons. In Class II. there are a number of salaries that might be saved; they are paid mainly to noblemen who are "removables." We can imagine the number of letters received by a Prime Minister on his accession to office from needy and greedy noblemen asking for one or other of these salaries. These salaries are thrown amongst the Pears like a fox among a pack of hounds; they scramble for them, and practically do nothing for them. They are, I believe, in addition to the salaries, allowed to have a Royal carriage, with men in red standing at their back. I have not the slightest objection to that, so long as we are not called upon to pay more money for Her Majesty's children, because she has to pay these noblemen salaries, riding about in a carriage with a man in red livery on the box. Let us look at the list. The Lord Chamberlain has £2,000, the Lord Steward £2,000, the Master of the Horse £2,500—why should there be this difference?—and the Master of the Buckhounds £1,700; while eight Lords-in-Waiting divide £5,616. These Lords-in-Waiting are not wanted at

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Balmoral or Osborne, and only one or two of them are required to attend when the Queen is at Windsor. The House, therefore, can realise how exceedingly little the Queen gets out of this £5,616. Then there are eight Grooms-in-Waiting—I do not know what they do—at £2,685, and besides these, there are four Equerries at £3,000 per annum. Altogether these sums made up a total of £19,501. Now I would sweep all this away. In the times of the German Empire there were electors of the Empire who fulfilled these sort of functions. They were not paid, but they were proud of being Chamberlains and Cupbearers, and I am sure that, such is the loyalty of the nobility to the Sovereign, many of our noblemen would be proud to fill, and would glory in filling, these offices without salary. But if there is any difficulty in getting noblemen, we could easily get gentlemen who would be willing to do it. For instance, there is the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain). That right hon. Member has told us that he has joined the gentlemen of England, and if no nobleman can be found to fulfil these functions gratis, this new recruit to the gentleman of England would, no doubt, be perfectly willing to don the livery and fulfil the duties attached to it. I will now take other illustrations from Class 2. There is a Gentleman-at-Arms at £1,200 per annum. He is not a soldier, but a nobleman and an amateur; he commands the Gentlemen-at-Arms, who only go out on official occasions, and who receive £5,139. As if that were not enough, the Yeomen received £7,100 per annum. In addition to this, we have a pack of hounds, kept to run after a tame stag, costing about £15,000 per annum, and a nobleman receives £1,700 per annum for being the master of these dogs. Looking down the list I also find the Ranger of Windsor Castle £500, and the Governor of Windsor Castle £1,293 per annum. And who are the occupants of these sinecures? They are two German Princelets. I have also suggested in my Amendment that further retrenchment might be made without inconveniencing the Sovereign. The basis of the present estimate of expenditure is the expenditure under

King William IV., and we have, in one of the appendices the amount of the household bills of King William IV. during his six years' reign. During those six years liveries cost £36,799; carriages, £20,508; horses, £26,000; hunt bills, £27,273; sundry and other expenses, £26,000. Obviously, there must have been a good deal of waste. Anyhow, it is clear that all this is not necessary. I also find in the Lord Steward's department, butter, bacon, cheese, and eggs are put down at £26,000; milk and cream, £8,875; poultry, £18,158; fruit and confectionery, £8,693; washing table linen, £17,400; fish, £9,496. [*Ministerial cries of "Oh, oh."*] Hon. Members opposite seem to imply that that has nothing to do with the question. ["Hear, hear."] I am not prying into Her Majesty's private affairs, but I have put down an Amendment which I am submitting to the House, to the effect that retrenchments may be made that will cover any additional charges falling upon Her Majesty. I must ask hon. Gentlemen opposite not to come here with all that abundant ignorance which they show on these questions. These matters were not placed before the present Select Committee, but a Committee in 1837 reported on these facts, and these facts were given in their Report. There is no prying in the matter—they are open to all who like to read them. The next items are—liqueurs, £9,583; ale and beer, £14,623; and wine, £35,888. I merely quote these things to show what was the basis of the Civil List, and I say there must be enormous waste if these articles at present cost so much money. Their cost has gone down since 1837 by 50 per cent. The right hon. Member for the Sleaford Division (Mr. Chaplin) will bear me out when I say that, owing to the appreciation of gold, a sovereign now goes one-and-a-half times as far as it used to go. Lord Brougham, in his protest which was placed on the minutes of the House of Lords when the Civil List was passed, said that the Civil List was framed on a fallacious assumption that the habits of society would remain fixed and unchanged. I contend that the habits and opinions of society have changed. Education has increased, and in proportion as education does

my interest in the proceedings of the Committee entirely passed away. The conclusion was arrived at that there should be a Grant, and we who hold that there should be no Grant naturally ceased to take interest in the proceedings of the Committee. We are well aware the Committee has reported in favour of a Grant. We are well aware that this House is going to register the decision of the Committee [*Ministerial cheer*]. Yes, but from the House of Lords we venture to appeal to the country at large, being perfectly sure that the opinion of the public—I do not speak of the workmen merely, nor do I speak of the fashionable people of the West End, but of the great intermediate body of the people, the shopkeepers, the hard working men who toil at desks, the merchants, the middle classes of the country: all classes of sober and decent people—will oppose any addition to the Royal Grants. I will make a confession to hon. Gentlemen opposite. One of them said to me yesterday, "How strange it is that you should have so much objection to so small a matter: you must admit that to a nation like this, £15,000 or £36,000 a year out of an expenditure of £80,000,000 or £90,000,000 is a small matter." I admit frankly it is an extremely small matter in itself. I have seen how in this House we have voted away six, and ten, and twenty millions sterling, and neither here nor in the country has much notice been taken of the matter. Every now and then we see immoderate which cost a million sterling but some think through the incompetence of some of the people concerned and very little is said of the matter, and yet I assert, and I think hon. Gentlemen will find it to be the case, that over the country at large there is an intense feeling against so comparatively trifling a question as this £36,000 a year. Mr. STURGEON. No. An hon. Member says "No," and I do not know who it is, or what constituency he represents; but I challenge him to go down to his constituency, and I will go with him to any public meeting in Stockport. Yes, to Stockport of all places I am willing to go. I challenge him to call a public meeting in Stockport where all the towns can go. "Not a public meeting"—no, not a public meeting, but an open meeting and I will go there.

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and he and I shall be alone together [*laughter*]; he and I will stand on the platform together—he with his greater age, larger experience, and probably greater ability—against me alone—one speech against one speech—and then we will take a vote, and he will find what Stockport thinks. I will tell the House very briefly how it comes that persons like myself, and persons who think with me, feel such an intense objection, I had almost said hatred, to an extension of these Royal Grants. But will you allow me, first of all, to clear out of the way one or two imputations constantly made against us in this part of the House? The right hon. Gentleman referred to loyalty and said he hoped the House would show itself loyal. Does he really believe that because Members of this House object to these Grants, they are, therefore, disloyal? A Minister or a Member of Parliament or an ordinary person who speaks the truth to the King is probably much more faithful and loyal a subject than courtiers willing to fawn and flatter or a Minister ready to carry out any of his behests. I have heard Republicanism mentioned. Well, Republicans there are, and in this House, too; I am not sure that there are not Republicans on that Bench. Republicans there are in the country not a few; but does anyone believe that Republicans, who honestly hold their opinions, are men without sense and reason? Do they think that there are men in this country who hold that a Republic is necessarily good because it is a Republic, or that a Monarchy cannot be made for all practical purposes—useful, and advantageous—provided its abuses are abolished? Republicans may honestly hold their convictions, and still hold that, given an ancient and well-ordered State with Monarchical institutions, the trouble now and possibly bloodshed of making a change would never be compensated for by any advantages that may accrue; and, therefore, though I should never be ashamed to avow any convictions I possess, I stand here as a practical English politician, loyal to the law and to the Chief of the State who represents the law, and I will not have it charged against me with

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to do so because I am disloyal. Then it has been charged against some of us that we common persons object to this Royal arrangement, because we are full of envy at the Royal Family occupying the position they do. An imputation like that is rather worthy of an insane asylum than of the House of Commons. Why should men be envious of Royal persons? We feel that, apart from all distinctions of rank, "A man's a man for a' that." We think that an English gentleman is the equal of all the Kings and Lords in the world; we think, also, that there is no particular objection to these relics of the past remaining a little longer on the earth if it is convenient to the majority. We recognise their position, but we think that above rank is character and manhood. Then it has been said that this opposition of ours is, in some degree, mean and shabby. Holding the views I do, I for one hold that kingly state, where it exists, should be maintained with suitable dignity, and even splendour. When a King was King in ancient days, bravest in war and wisest in peace, he was accounted first amongst his people, and that he should then have the best things his people could give him was well and proper. Now, a King is merely a Constitutional symbol; but even a Constitutional symbol should be properly decked; and therefore I have never been unwilling that as long as it pleases the English people to have a Head of the State who is Royal, so long should they give to that Royal person a competent, decent, and honourable support. It is not, therefore, shabbiness which leads us to object to this proposed Grant, but our allegation is that already there is sufficient granted by the State for the purpose. Lord Brougham, in discussing the proposal for a similar Grant in 1837, said—

"It is absolutely necessary to know how much the Sovereign has independently of our gift. The measure of our gift is to be the necessities of the Crown. The question being how much should be added to the Royal income, in order to make the sum total as much as is required, we are desired to answer that question without being told what the income is which is to be increased."

Lord Brougham here puts the case thus—that before you give more to the Crown Parliament had a right to ask what was the present revenue of the Crown. We

have asked that same question this afternoon. The Report of the Committee and the Appendix presented to us, interesting as it is, is most misleading in some particulars. It purports to set out for the benefit of the House and the country the savings of Her Majesty. But when challenged by the hon. Member for the Border Burghs, although the right hon. Gentleman said that £824,000 had been saved from the Civil List, he added that that sum did not represent all the savings of Her Majesty, but that Her Majesty had other and very considerable savings.

*MR. W. H. SMITH: I did not say anything of the sort. I said that I declined to say whether the savings made over to the Privy Purse were either more or less than the sum mentioned.

*MR. STOREY: I will take the answer of the right hon. Gentleman and deal with it from my own point of view. But putting these savings at £824,000, are they Her Majesty's or are they ours? I think myself that if it had been known every time that an application was made by Her Majesty for the support of her children that year by year she had received and accumulated savings from the Civil List, that would have been considered an important element in the matter. But owing to the way in which the Civil List account has been treated, not presented to the House of Commons or audited to show the balance, as other accounts are, the House of Commons has not until now learnt that large sums have been annually saved. I ask, then, the country and the House to consider whether these savings are the Queen's or ours? And I put the question for this reason: I have heard of the compact between the Crown and country as to the Civil List, and I have taken the trouble to read the Act of Parliament, which orders that £385,000 should be paid to an account, under the control of the Lords of the Treasury, year by year and quarter by quarter; and as sums are needed for specific purposes, they are to be paid by them as Trustees of the fund. They are to pay quarter by quarter the necessary amount, and if in any single class there has been a deficiency and in others a surplus, the surplus at the end of the year may go to make up for the deficiency. There the orders of the Act of Parliament stop. There is no order, there is no power

The right hon. Gentleman who spoke the other night, our own Leader, reminded us that, although the Grants to the present Royal Family were large, they were not so large as the Grants of a century ago. Sir, that does not weigh with me. He also reminded us that the cost of living at the present time is greater than it used to be. Sir, that weighs less with me; for precedents of the past in this matter I care nothing. The obsequious Acts of the Parliaments of the last century, full of placemen and of pension hunters, have no authority for me; and when the right hon. Gentleman tells me that

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people keenly. Let me give another instance which I came across in Hampshire the other day. I was travelling in the country and I came upon a man who had served the State as a gunner. He was engaged in firing a salute in honour of some Royal personage—an entirely useless and unnecessary and wasteful proceeding—when, owing to some accident, he was blown up. One moment he was at the gun, the next moment he was on the ground a mangled and bleeding man. Most men would have died, but he had a strong constitution and survived. He came home. He had served his country for 10 years; he had been of unimpeachable character; he had been stricken down while doing his duty. He had one eye only and no arms; he was not able to feed himself or to put on his clothes; he is attended by a faithful wife. What did the country give him? It gives him 3s. 6d. a day—2s. 4d. a day a pension which was granted, and 1s. 3d. or 1s. 2d., which was improperly taken from Greenwich Hospital Funds, out of money contributed by the Mercantile Marine, and given to this poor fellow in Her Majesty's Navy. 3s. 6d. per day, and when it was represented that at his death his wife would be left without support, and it was suggested that continuance should be made to her, the reply to the appeal was extreme regret that there were no funds at disposal for any such purpose. Yes, Sir; for these sons and daughters of literature, and science, and song, for veterans who suffer and bleed, are these miserable pittance, but to the sons and daughters of titled luxury there may be applied the Gospel phrase, "To them that have shall be given, and they shall have abundantly." These enormous disparities shock the minds of the common people of this country. They think it nothing less than shameful, and from my place here I, too, call it shameful and infamous, that those who are poor and needy should be left to perish, while we lavish thousands on these titled persons unnecessarily. Keenly I feel these things. I have sat in this House for eight or nine years, and have myself had occasion to make some trifling application for the poor, and invariably I have been met by some glib official, not necessarily Tory—Tory or Liberal, it is much the

same, for when a Liberal becomes an official, he is another stamp of man—some glib official blandly tells me that he deeply regrets there is no money to be found for the purpose. Well, I ask the House—I do not expect all to agree with me—but I appeal to thoughtful men of the Radical Party—is it not wrong, is it not improper, that until you have used all means to help these poor and needy ones that have a claim upon us, you should give thousands and tens of thousands to persons who already have more than enough? These are moral considerations that influence me strongly against these payments. I have never said one word, and do not say one word, derogatory to Her Majesty, who in her personal character and Constitutional action is equal, if not superior, to any of her predecessors in England. Bear witness to the fact that when Her Majesty stayed in seclusion it was not by Radicals and Liberals that fault was found with her; it was in fashionable circles and among the shopkeepers who fatten on the follies and extravagance of the upper classes that the propriety of Her Majesty's conduct was called in question. But the great body of the sober opinion of the country sympathised with Her Majesty's loss, and were content that she should remain in retirement. We have never said anything derogatory to the Queen or the Prince of Wales. We respect their position, and are content so long as the majority of the people desire to keep them there. We do not bestow lip loyalty; we will not support the Prince of Wales or the Queen when we think them wrong; we will speak the truth to them, and that is what we are endeavouring to do this afternoon. Frankly, I say that, in my judgment, the means at the disposal of the Queen and the Prince of Wales are ample, and that no further demand can reasonably be made upon the taxpayers of this country. In every legitimate way I shall oppose the proposal of the Government, and endeavour so to educate public opinion that if the Grant is obtained it will be the last Royal Grant that will be asked from the Parliament of England.

MR. GLADSTONE (Edinburgh, Mid Lothian): My hon. Friend the senior Member for Northampton, who has moved the Amendment, found it

necessary for his purpose—and I own it appeared to me that the nature of his argument required it—to occupy a very considerable portion of the time of the House. My hon. Friend who seconded the Amendment has also entered at great length into this subject; but I will offer the House at least this consolation—that I do not think there is any call upon me, or that there would be any justification for me, to follow either of those examples. But there is one portion of the speech of my hon. Friend the seconder of the Amendment on which I think I ought to say a word. For a very considerable part of that speech—the whole of the latter part—he has been drawing a contrast, which I should say is highly *ad invidiam*, between the miserable pittances, or at all events the very small amounts, which are accorded to the needy in humbler circumstances and stations of life, and that expenditure of thousands which is familiar, free, and unbounded in other regions of society. I shall never attempt—my own firm convictions would prevent me from endeavouring—to insinuate that contrasts of that kind do not raise the most serious questions. The seconder of the Amendment says that he stands upon moral considerations. These are moral considerations, and moral considerations of a deep and most important character; but in my opinion they are not so much applicable to the question that we are discussing to-day as they are to the general state of things in a society where enormous wealth exists, where luxury prevails, where vast classes of men, many of those probably sitting in this House, freely spend upon those objects of luxury and upon the real or supposed necessities of their stations those enormous sums which undoubtedly stand in the most painful contrast with what the State can do—I will go further and say with what the State ought to do—with respect to its numerous and humble dependents. But is it fair to turn the whole strength of this contrast upon the Royal Family? The Royal Family have large incomes—you may say they have enormous incomes—and so have other men. The difference, the broad difference, between the Royal Family and the other men of gigantic wealth in this country is mainly this—that the wealth of the Royal Family is in large measure associated with, and

even tied down to, the discharge of public duty, whereas the wealthy men of the country are under practically no responsibility, except the responsibility to their own consciences; and I own I think it is hard, not that these contrasts should be drawn—in our own minds and consciences we cannot draw them too much or too stringently—but that they should be drawn for the purpose of turning the whole public feeling on the subject against a Grant to the Royal Family. I have said these words because I think in justice they are required. I do not suppose that members of Royal families are patterns of what I may call Christian economy; but I want to know how many amongst us can pretend to offer such patterns to the world? How many of the wealthy are there whose expenditure would bear the microscopic examination which we are now invited to apply exclusively to Royalty, whose incomes at least, as I have said, stand in some palpable, some intelligible, some permanent relation to the discharge of public duties, aye, and to public expenditure, less connected, perhaps, with that which immediately falls under the name of moral duties, but still expenditure in which the people at large feel a deep interest, the presence of which they view with satisfaction, and the absence of which they would view with regret? My hon. Friend who moved the Amendment has referred, in terms of which I certainly have no reason to complain, to the substantial differences in the Party on this side of the House, or rather, I may say, among the Parties on this side of the House—for we are happy enough to have three of them—on this subject. I shall not follow him far into that discussion. I can only say I do not believe I shall excite any adverse comments on the other side of the House if I, like him, take a cheerful view of the operations of these differences upon our political relations. We are not so young in politics, in Liberal politics, and we are not so entirely unaware of the freedom of the action of public or private opinion which politics require, as to be alarmed in respect to our great and broad public principles and in respect to the large issues which are at present before the country, because there are undoubtedly on this question considerable divergencies of opinion among the members of

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the Liberal Party. I thank my hon. Friend for what he was good enough to say as to the allowance he would make for me as standing in a peculiar position; but at the same time I am bound to say that I do not deny that there is a certain peculiarity of position in one who has had to give responsible judgments upon questions of this class for a period of between 40 and 50 years, for it is 46 years since as a Member of the Cabinet I was first a party to a demand upon Parliament for a Royal Grant. I do not myself perceive that there is anything in the peculiarity of my position which should render my conclusion a conclusion fit to be rejected by reasonable men. I certainly should argue this question upon grounds which appear to me at least to be broad and general. It is for the House and the public to judge, no doubt, whether these grounds are sound or not. They will not require me to enter largely upon the time of the House. I will at once direct myself to the issues that are fairly raised by my hon. Friend. He promised to avoid invidious topics, and I may say he has, upon the whole, in the course of his ingenious and able statement been successful, because every one will admit that the allusion to Ministers who might demand a Royal Grant on this or any future occasion as brigands was entirely a just, a fair, and a moderate use of language.

***MR. LABOUCHERE:** I did not say that. I was referring to what was said by my right hon. Friend the Member for Newcastle.

MR. GLADSTONE: Then I am relieved of any further responsibility of dealing with that point, and I will go straight to the issues raised by the Amendment. They are these. In the first place, that Her Majesty and the other members of her family are possessed of a sufficiency of means to avoid application to Parliament; and, in the second place, that large economies might take place if further funds are needed for the purpose of Royal endowment. I will first say a few words upon the subject of economy, and I beg the House to bear in mind that while it is difficult, as I believe, for a great nobleman of this country—I take a man than whose name none is more honoured, though I differed from him in political opinion, I take the late Duke of Buccleuch—it is

extremely difficult for such a man, especially, as in the case of the late Duke, if he gives much time and care and thought to his public engagements, to enforce in his great establishments real economy and thrift. Sir, it is ten times more difficult for a Sovereign. I will go further, and say it is almost impossible, unless the Sovereign be strongly backed by the action of the Government and unless the Government be strongly backed by the action of the House of Commons. I am sanguine enough to believe with my hon. Friend that there is great room for economy. I, however, must say, and here I fall back on the seconder of the Motion, that I am averse to all economy which would not only affect the dignity, but which would impair the splendour of the Court. In a society constituted as this society is, the Court ought to be a splendid Court; and not only so, but I will go further, and say that a Court amply provided, but not extravagantly provided with means, worked in a genial spirit, and conforming to a high moral standard, is one of the most powerful, one of the most inestimable agencies which, in a country like this, you can bring to bear upon the tone of society, and by means of which you can raise the standard of conduct from class to class throughout the kingdom. I believe, with my hon. Friend, that there is great room for economy, but the difference between us probably would be this—that I estimate the difficulty of enforcing that economy as very great. I do not doubt that you might, as my hon. Friend has pointed out, pick out some salary here and there where reductions might be made. You might be fortunate enough in particular cases—such as political cases, for instance—to get rid of the embarrassing considerations of vested interests. But I own I have very great doubts indeed whether my hon. Friend has estimated aright the complicated nature of the process that would have to be instituted, the firmness that it would require, the time that it would demand, the strength of influence and the weight of authority which must be at its back in order to make it effectual; and I am by no means certain, Sir, that a very small, shallow, and partial attempt at thrift in the Royal Household—I mean in the form of the public relations of the Sovereign with Parlia-

ment and the country—I am by no means certain that it would be well to attempt such small, partial, and shallow reforms in the Civil List and in the Royal Household, and the whole of the interests connected with them, unless at the very best opportunity. I have very great doubts—I speak simply as a private individual, for it would be most presumptuous for me to speak for anybody else, and most of all even to conjecture what may be the views of Her Majesty—but I own it dwells in my own mind that it is extremely doubtful whether there can be that thorough reconsideration which, in the whole of its most complicated anatomy, the question of regal expenditure demands, except in connection with the settlement of a new Civil List. I own that if it be Her Majesty's impression, of which I have no knowledge whatever, that at an advanced period of life it is doubtful whether it would be wise or fit to attempt to initiate a scheme of that kind, I can not only sympathise with the feeling, but I am not at all indisposed to believe that the judgment formed is a sound judgment. Although I believe that great fruits will be reaped from a bold and systematic prosecution of this subject at the right time, I am by no means clear that that time has actually at this moment arrived. So much with regard to that subject, but there is what I hold to be the main question raised by my hon. Friend. By his Motion he considers that there are sufficient means in the hands of Her Majesty and of the other members of her Family. I do not quite know what interpretation I am to give to the phrase "other members of her Family." The only one who I suppose can possibly be in the view of my hon. Friend besides the Prince of Wales is the Duke of Edinburgh. But it is quite evident that the Duke of Edinburgh does not enter into this question at all, for it will be seen from the earlier form of the intentions of Her Majesty's Government that no claim can at any time be made on his part upon the public in reference to a Royal marriage. Consequently, I shall assume that the persons indicated here by my hon. Friend are Her Majesty and the Prince of Wales. Now, let us consider the case of Her Majesty and of the Prince of Wales. My hon. Friend who has seconded this Motion has shown himself to be possessed of a lively imagi-

nation. He deals in millions, of the existence of which, in an available or a profitable form, I believe no other human being is cognizant. Further, he has shown to his own satisfaction that the private income, or what he calls the pin-money of Her Majesty, amounts to the sum of a quarter of a million a year.

*MR. STOREY: I did not say that at all. I said that this sum was £60,000 a year, and that she had in addition, apart from what poor people would call house money, other accumulated sums and interest from the Duchy, which make altogether the sum of a quarter of a million a year.

MR. GLADSTONE: I think my hon. Friend spoke of what he termed the clear net income of Her Majesty, after all purposes which are commonly comprised in necessary expenditure, such as dwellings, servants, and provisions, have been amply provided for, and that sum he conceives to amount to a quarter of a million per annum. Now, Sir, my estimate of this rather important question is that if he had said half that amount he would have been very much nearer indeed to the mark, and I am sorry that a phrase like that of pin-money should have been introduced. I do not think my hon. Friend can have appreciated equitably the position of the Sovereign in such a matter. Take the system, for instance, of pensions. I will venture to say that there is no establishment in the country in which the system of pensioning is practised as it is in the establishment of the Sovereign, and that not altogether from pure benevolence or choice, but from necessity growing out of the peculiarities of the Royal position, which peculiarities you must take into view if you want to arrive at any sound conclusion. I will not enter now into the details of the subject, but all I will say is this—that what we may call the free income of Her Majesty is subject to a number of calls to which you would find it difficult to discover anything fairly analagous in the expenditure of private persons. I am not here to maintain that Her Majesty has not free available means which seem to be destined by nature, by propriety, and by Her Majesty's own most gracious considerate and prudent choice to the endowment of her family. Her Majesty has been blessed with a very numerous

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posterity. Under the circumstances that are now before us the proposal is that of no part of that posterity shall we hear in the second generation except the children of the Prince of Wales. That appears to me to be a most important item to take into our view. I feel no hesitation whatever in accepting the considerate offer of Her Majesty. I do not agree with those portions of the Report of the Committee which would rather, I think, lead to the inference that there was some duty incumbent upon Parliament which Parliament was unwilling to perform. I make no such admission. In my opinion Parliament has always in this matter been very liberal and loyal, and, notwithstanding any little indications of diverging opinions, such I heartily hope and believe it will still continue to be. Her Majesty has been pleased to mention one great item which ought probably to be called the principal item—the large increase that has taken place since the opening of the reign in the revenues of the Duchy of Lancaster. I feel that nothing can be more just and legitimate than that Her Majesty's generosity should, with these means in her possession, offer to take upon herself the charge of her grandchildren, and nothing can be more fair or more compatible with our duty, as well to our constituencies as to the Crown, than that we should accept the offer. It is a very serious one. It involves a very large expenditure. I think the seconder of the Amendment stated that the sum of £300,000 or £400,000 would be an ample sum for all the Queen's grandchildren. I must own that, although £300,000 or £400,000 may sound a very large sum of money, I do not admit that it is an adequate sum to make provision—respectable, creditable, honourable, and moderate provision for so numerous a body as, happily, the Queen's grandchildren have now come to be. It is not denied by those who oppose the Amendment that Her Majesty has available means. Her Majesty has made an offer. We propose to act on that offer, and to give to Parliament an exemption from the possibility of proposals for the maintenance of the members of the various branches of the Royal Family. The acceptance of this offer on our part will impose upon Her Majesty a very heavy burden, greatly

exceeding the sum which the hon. Member has mentioned, and may possibly require much prudence, thrift, and forethought on the part of Her Majesty to enable her to bear it without disparagement to all her other Royal duties. Well, Sir, that being the case, I ask myself again whether my hon. Friend really has met the case in his contention that the Prince of Wales ought to be provided with funds to enable him to undertake the care of his children. I presume he would not push that doctrine so far as to make it embrace all the liabilities and expenses that might arise in the event of the Prince's accession to the Throne. The question is whether for the period while the Prince of Wales remains Prince of Wales, it is fair or rational to expect that he should take upon himself the maintenance of his children as they grow up, as they depart from under his roof, as they become the heads of separate establishments, or as they enter into families where, if the families are rich, still, being the grandchildren of the Queen and daughters of the Heir Apparent, they ought not in my judgment to enter absolutely penniless, but if they are poor should have provided for them a moderate income by the State, which would, perhaps, form a very considerable part of their whole available means. My hon. Friend says that the revenue of the Duchy of Cornwall was only £46,000 in 1863 and is now £61,000. Yes, Sir; but my hon. Friend has been favoured by fortune in this respect. It is true it was only £46,000 in 1863, but it was £52,000 in 1862, and £50,000 in the year 1864. It rose regularly and rapidly until it had passed the figure of £60,000 in 1869, and since 1869 there are, I think, only two or three exceptional years in which it has fallen below £60,000. I must point out to my hon. Friend what really took place on that occasion. It is my duty to speak of it, because at the time Lord Palmerston made a proposal in Parliament I was Chancellor of the Exchequer, and of course it was my duty to make an estimate of the Prince's revenue. And what did we do? We were, of course, perfectly aware that at the moment the revenues of the Duchy of Cornwall were under £60,000. But we stated them at £60,000. Why? Because we were providing for a period

purpose of maintaining his children when the day of need arose. But in making provision for them Parliament will be asked to adopt the plan which absolutely secures us during the remainder of this reign from any renewal of these very painful controversies. I think that a very great advantage gained for us and for the public—I will not say for the stability of the Throne, for happily that stability is beyond the reach of the breezes or the gales of opinion which may be set in motion on these particular occasions. But the extinction of the possibility of the renewal of these controversies for the remainder of the reign is another great step in the right direction. Let me do right hon. Gentlemen opposite justice, although I am not wholly satisfied with all parts of the Report. I hope the House will observe the important words in the paragraph last but one. This is the paragraph which contains the practical proposal:—

“In order to prevent repeated applications to Parliament and to establish the principle that the provision for children should hereafter be made out of Grants adequate for that purpose which have been assigned to their parents.”

These are not mere words. They are primarily the basis on which the proposal is founded, and what is now asked on the one hand undeniably secures us from controversy during the remainder of the reign, and on the other hand as undeniably points to the construction of a new Civil List as the occasion when the whole question must be settled in principle and in practice, and likewise indicates that mode of settlement which my hon. Friend, I think, will be the first to recognize as sound and just. I thought it my duty to enter at once into this Debate. Undoubtedly I admit that on every occasion our highest obligation as the Commons of England is to the constituencies which we represent. But I am not ready to adopt the exclusive doctrine of the Seconder of the Motion that we are the servants of the people, and the servants of the people alone.

*MR. STOREY: I said servants of the people first.

MR. GLADSTONE: I am very glad that I misunderstood my hon. Friend. We are servants of the Crown as well as servants of the people. Having,

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as I hope, done my duty to the people, I have been endeavouring, so far as I could, to contribute towards casting this delicate question into a form which in a very short time is, I believe, likely to be perfectly satisfactory. Having done that, I am not ashamed to say that in my old age I rejoice in any opportunity which enables me to testify that, whatever may be thought of my opinions, whatever may be thought of my proposals in general politics, I do not forget the service which I have borne for so many years to the illustrious representative of the British Monarchy.

MR. ILLINGWORTH (Bradford W.): Although I can take no large exception to the course which the right hon. Gentleman has followed in the Committee upstairs, in his speech to-night, or in the course he has indicated, it is my intention to vote with the hon. Member for Northampton. Session after Session, for the last two or three years, we have asked that a Committee should be conceded which should take into consideration and settle this important matter beforehand. My complaint is that in the propositions laid before the Committee Her Majesty's Government seem to regard themselves as the obsequious servants of the Crown, and to have forgotten their duty to the House of Commons and the people. I do not deny that the duties which the Prince of Wales has been called upon to perform have been admirably discharged, nor do I say that his income is too great for his position. But after making these admissions, I do not think it absolutely necessary that the House of Commons should be asked for an increased grant at this time. My answer to the right hon. Gentleman the Member for Mid Lothian is that the income of the Prince of Wales is sufficient to enable him to satisfy any claims which his family have upon him for the present. If Her Majesty delegates to the Prince of Wales a considerable share of her duties, which involve not only personal inconvenience but large pecuniary demands, it may reasonably be expected that she will take care that he does not suffer. The Civil List of the Queen, the large increase of income from the Duchy of Lancaster, and the income from her savings, are amply sufficient, not only for her dignity, but for the duties which the

Prince of Wales has to discharge for her. The people are not to be regarded as serfs in the land of their birth. They have power in their hands, and they ought to consider themselves as a Republic in the form of a limited Monarchy. In my opinion, it is necessary to ascertain the strength of the votes in this House, and if they are in a minority, at any rate I believe they represent the opinion of a large body of the people out of doors, if not the majority. I am prepared to say that we shall be doing a great service, at this moment, if we ascertain the strength of the feeling of the people in favour of economy in high places. I hope the result will be, whenever Her Majesty's Ministers have again to take into consideration the Civil List, that it will be understood that the desires of the people will not be met unless the Civil List, plus the incomes of the two Duchies, shall be put at a limit which Parliament recognizes as necessary for the maintenance of the Crown. Her Majesty's Government referred to the question of precedents. They wanted to verify their position by what took place in the reign of George III., finding those precedents to a certain extent serviceable. But it is a paramount duty of Her Majesty's Government that they should have regard for the altered circumstances of the time; and I think they should have studied the question from the point of view of the people, and voluntarily have prepared such proposals as would have saved both the Committee, the House, and the country the painful ordeal through which they are now passing. The right hon. Gentleman (Mr. Gladstone) urged a very fair comparison between the man of vast private income and Her Majesty on the Throne and the Prince of Wales. We are all aware of the fact. But Her Majesty's Ministers should bear in mind those who have received political power. Whatever arises, the blame must entirely rest with Her Majesty's Government for not having appreciated the position. The Government have been obliged to abandon their position; but if they had been allowed to have their mind and way, the present position of the people of this country would have been altogether disregarded. While the income of Her Majesty is larger than at any previous period of Her Majesty's reign,

no one can doubt that the purchasing power of the Sovereign is increased by 25 per cent. That actually augments Her Majesty's income, and increases her power to provide for members of her family. I do not press this: only when every small item has been taken into account on the one side, I think we are entitled to look to the other side of the account. Those who are identified with the popular policy of this country do not think it is necessary for maintenance of loyalty that we should encourage an excess of the tinsel which surrounds the Court. For my part, I should say that the greater simplicity there is introduced into the daily life of our Royal Family the better it will be. On great State occasions there are necessary demands for splendour; but it should be remembered that it is the luxurious classes who encourage this splendour of the Court; and we believe that those who hold our views on this matter, for which they are reproached, are doing more for the maintenance of a limited Monarchy than those who think and act differently, by allaying the feeling which exists out of doors, and by alleviating the pressure which falls upon the people. It will be urged that this is not an expensive charge upon the people. But there are other and enormous charges which are held to be necessary, and it is our first duty to watch vigilantly any demand that is made upon the Public Exchequer, and to repel, as far as possible, unnecessary burdens upon the people. The fact that the charge of 1d. in the £1 for Royalty is very easily borne by some does not make it easier for others of the people who are poor and dependent. We shall have this subject discussed again. Differences on this side of the House are only as to the form of procedure. But we shall be found discussing this subject on a Resolution which we shall present with an unbroken front and with the whole force of those who, while they will not for one moment wish to be regarded as inferior in loyalty to the Crown, will regard it as their first duty, as Representatives in the House of Commons, to safeguard, as far as possible, the interests and position of the mass of the people.

*MR. DIXON-HARTLAND (Middlesex, Uxbridge): The hon. Member who

of the Statute, but we have also the intention, expressed in equal clearness, of the Minister who was in charge of the Bill. But not only has the country failed to obtain the savings which I submit ought to have been returned into the Exchequer, but I have also to complain, not of the Crown but of the advisers of the Crown, that charges proper to the Civil List have year by year been brought into the Estimates which this House has to vote. In the Appendix to the Report of the Grants Committee there are details of the Civil List charges for the six year ending 1836, and the House will see that what I may call Household expenses are included in the Civil List under those Returns. But if any hon. Member will turn to the Estimates for the present year he will find that Household expenditure of the Crown figures there. He will find provision made for Palaces in the personal occupation of the Crown, and that for fuel, lighting, water and household articles we have already voted the sum of £1,435. That is distinctly a charge which, by the precedent the Government have themselves presented to us, ought to be defrayed out of the Civil List and not out of sums voted by the House. Now, a little while ago the House was under the spell of the eloquence of the right hon. Gentleman the Member for Mid Lothian. It would be little to say that he presented the case of the Government very much better than any Member of the Government has presented it, or probably will present it. We in this quarter of the House admired as much as anyone the great ingenuity and the beautiful diction by which that extraordinary speech was distinguished, but I confess I was not convinced by the speech. What pleased me most of all was the declaration which came towards the end of the speech, that the claim on behalf of the Crown that this House should provide for its grandchildren other than the children of the Heir Apparent has disappeared, and disappeared for ever. But in the early part of the speech I thought the right hon. Gentleman was scarcely fair to my hon. Friend the Member for Sunderland (Mr. Storey). The right hon. Gentleman asked "Is it fair to turn the whole strength of the contrast between luxury and penury on the Royal Family?" but I would ask, in turn, whether

that is quite a fair representation of the case put by my hon. Friend? My hon. Friend directed the brunt of his criticism first against the Ministry, and, secondly, against the majority in this House, and was very careful to separate from any unfavourable remark he might make the Queen and the members of the Royal Family. The right hon. Gentleman the Member for Mid Lothian said it was not fair to compare the position of the Prince of Wales to that of a private gentleman, and I think there was considerable force in the distinction which was drawn by the right hon. Gentleman. But upon the other hand I desire to point out that when we speak about incomes a distinction upon the other side must be drawn. If you speak of a private gentleman who has an income of £110,000 you speak of his gross income from which a very considerable deduction must be made by way of outgoings to keep up his estate, from which his income is derived. But the Prince of Wales's income is a net income, and therefore I put that into the scale upon the other side as a sort of balance against the distinction which the right hon. Gentleman has made between the position of the Prince of Wales and a private gentleman. And then the right hon. Gentleman said that the Queen had to provide, owing to the circumstances of her position, pensions for old servants. But let me point out that when the Civil List was settled at the beginning of this reign one item which previous Monarchs had not enjoyed was introduced, an unappropriated item of no less than £8,000 per annum, which seems to be specially designed to meet the claims upon which the right hon. Gentleman dilated. I support the Amendment, but I should have liked the hon. Member for Northampton to have stopped somewhere about the middle of it as it appears on the Paper. For my own part, I do not very cordially go along with him through the concluding part of it. I think if you raise the question of abolishing absolutely unnecessary offices the savings you thus effect ought to come back to the Exchequer, and it is a somewhat dangerous policy to suggest that these savings should be diverted into the Privy Purse. If there was any chance of effecting a compromise with right hon. Gentlemen opposite we

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might fairly make it part of that compromise, but as there is no chance of that I confess I regret that the hon. Member for Northampton should have added these concluding words to his Amendment. Some objections have been taken—I do not know whether they have found expression in the House, but certainly objections have been taken out of doors—to our raising opposition at this stage of the proceedings. Well, if this were a question of haggling and chaffering between £36,000 and £40,000, of course this would not be the proper time to make a stand, but as we in this quarter of the House object to any further Grant at all, it seems to me we are perfectly logical and by no means wanting in due respect for the Crown in making our protest now. I gather from the report of the proceedings in Committee that we shall not receive the support of the hon. Member for Cork (Mr. Parnell), and the right hon. Gentleman the Member for West Belfast (Mr. Sexton). I think that English Radicals, who have made great sacrifices in order to promote the cause of Home Rule, will regret that on this question, which is to them a very important, if not a vital, one, those hon. Gentlemen should have separated themselves from us. But, although we may regret it, I do not suppose we shall be very much surprised. It is not the first time that a leader of the Irish people has supported extravagant claims put forward on behalf of the British Crown. In 1840, when the proposal to grant an annuity of £50,000 to the Prince Consort was rejected by the overwhelming majority of 104, including the bulk of the Tory Party and the right hon. Member for Mid Lothian, Daniel O'Connell voted with the minority. I am not surprised at this, because chivalric devotion to persons and great respect for hereditary rank have been, and still are, more powerful factors with the Irish race than they are with ourselves. I think I may point out, in conclusion, that this is another illustration of the folly of the advisers of the Crown who, through many generations, have adopted every possible means calculated to alienate a people whose national disposition would be to support the Crown even when extravagant and ill-advised claims are put forward on its behalf.

SIR ARCHIBALD CAMPBELL (Renfrew, W.): I would not interpose in the Debate but that I was a Member of the Committee, and I think it is well, after having listened to the speeches in support of and against the Amendment, that attention should be called to the issue that was brought before the Committee. The issue before us was, to put it shortly, whether Grants should be made for the support of the children of the Sovereign. Well, in support of the proposition that they should, many precedents were brought forward. Hon. Members have read these precedents, and know that in every case they support that view. An attempt is now made to treat precedents lightly, but I may ask what does our law almost hang upon but precedents? If precedents are to be cast aside, what guide are we to have for our future direction? It is on precedents we direct ourselves in private and public affairs. On precedents we forecast our income; on precedents we dispose of it; and precedents clearly are in favour of these Grants, such as are now asked for in the Message of Her Majesty. The hon. Gentleman, in his Amendment, proposes that, in consequence of the amount of money Her Most Gracious Majesty is supposed to have saved, we should make no Grant, and also that, if it should be necessary, certain sums should be taken from the Civil List by Parliament. Against precedents the only reason the hon. Member can produce is that, Her Majesty having used such just economies with the sums devoted to her use, then we should back from our agreement and require Her Majesty to support her grandchildren and members of the Royal Family. So convinced was I in Committee that our course was to make these Grants, that I was quite prepared to vote for the first proposal of the Government; but the Government were so anxious to conciliate any opposition that might be offered in Committee, that they accepted the Amendment, and it was not until we found there was an irreconcilable residuum in the Committee that we felt it our duty to stand upon the knowledge given to us in the Papers put before the Committee. Here is a proposal of the hon. Member for Northampton, made at the eleventh hour, after Her Most Gracious Majesty has been for more than 50 years

the Ruler of this country; after all this time—and during this time, as the right hon. Gentleman (Mr. Gladstone) has told us, he has frequently had to propose Grants for the Royal Family, and at the same time never, under any circumstances, was there a suggestion or hint that it was supposed Her Majesty should provide for her children—after all this time we are to upset the arrangement entered into with the Crown at the commencement of the reign, to break faith with Her Majesty, who on her part has kept faith with Parliament and the country in so admirable a manner that savings have accrued to her after keeping up the dignity of the Crown as no Sovereign has before. I must say the argument of the hon. Member is a very curious one. It is almost impossible—it would be most unfair—for Parliament now to go back on its word. If we turn to the second part of the hon. Member's Resolution, in which he suggests that certain economies might be effected in the Civil List, we must remember that the Civil List was fixed at the time of the accession of Her Majesty, and if Her Most Gracious Majesty had of her own accord dismissed several officers of State so provided, considerable dissatisfaction would have been expressed. It was not possible to make economies by such means, but the economies that were effected were just and honest. Are the charities of the Crown insignificant? Let hon. Members take the trouble to collect the statements of the numerous charitable institutions throughout the country where the name of Her Most Gracious Majesty heads the subscription list with a large figure. It is my belief that feelings of deep loyalty to the Crown now animating all classes have grown through the manner in which Her Majesty has maintained the dignity of her great position. I have some experience of the West of Scotland, and I can speak for the loyalty and devotion of the people there. I have great pleasure in opposing this Amendment. I believe it is not in consonance with the feelings of the people, who wish to see the Crown upheld with all possible dignity and honour, it is entirely opposed to precedent, and it is in direct violation of the compact entered into when Her Majesty began her long and prosperous reign.

Sir Archibald Campbell

MR. W. ABRAHAM (Glamorgan, Rhondda): In answer to the hon. Gentleman who has just sat down, and who wants to know what precedents we should have for our future action if this Amendment is carried, I should like to say that if the feelings of the vast majority of the working men of the country were acted upon there would be a distinct precedent laid down that no more Grants should be made to the younger children of the Queen or to her grandchildren, and certainly not to her granddaughters. It is not because Her Majesty the Queen has been able to save that this objection to further Grants is raised, but having been able to save an enormous amount of money, she ought to provide for her family like any other noble woman. The popularity of the Prince of Wales has been spoken of, and certainly I should not like to be understood for a moment to say anything disrespectful of the Prince of my country. I hope I shall not be considered disloyal to my country or to the Queen of England. The Welsh people up to now have been considered the most law-abiding and loyal under the Crown, but the House should thoroughly understand that, while they are prepared to agree with the ample provisions already made for our gracious Queen and the Prince of Wales, they think it is quite time to stop and put an end to what may be, if this proposal of the Government is carried, a machine to go like an endless chain to provide not only for Royal grandchildren, but for the great grandchildren of the present grandchildren of the Sovereign, who may go on aggrandizing themselves to the end of the world. As I understand the case, it is this: the Government ask for £36,000 for the Prince of Wales. In my humble opinion their own Committee have failed to show that a farthing of this additional Grant is necessary. The Queen, whose purse has really been saved, and not that of the Prince of Wales, who does the work, has accumulated sums sufficient to endow 100 grandchildren, instead of five. Again, I do not wish to say a word disrespectful of the Queen. A pious and leading journal lately said Her Majesty presents a noble example of a Sovereign and a mother. But how? For over 20 years she has almost en-

tirely neglected the public duties of her Royal position. [*Cries of "No."*] Then what is the nobility of the example as a mother? Many a poor widow toils incessantly in order to maintain her young family, denying herself perhaps rest and food, so that her children may be decently clothed, and fed, and educated, and prepared for a start in life. Such cases of devotion and self-denial are frequent among the poorer classes of society. Is not this a nobler example than that of a lady in possession of enormous wealth, and well able to support the whole of a numerous family, but who yet permits the burden of their maintenance to be thrown upon the nation? To me the question is simply this, and if I am wrong let me ask pardon. It comes to this. The Queen is the servant of the country, and we make her a large allowance for the discharge of her duties. She does not fulfil those duties. She leaves them to her son and saves an enormous amount out of her income, and then comes upon the nation for more. But since the son does the work he should have the money that the Queen gets. That is the opinion of Wales on this question. [*Cries of "No."*] That is the opinion of the vast majority of the working men of Wales. [*"No" from Mr. KENYON.*] My hon. Friend may go on saying "No" till to-morrow morning, but I say "Yes," and I have as much claim to represent the working men of Wales in this House as the hon. Member. I am told that the Prince of Wales receives an income of more than £160,000.

AN HON. MEMBER: You are wrong.

MR. ABRAHAM: I am told £110,000. Very well. But that does not include the accumulations from the Duchy of Cornwall and the various sums voted for exceptional circumstances. His Royal Highness is a Field Marshal and is Honorary Colonel of several regiments. Someone has calculated that he receives in wages about £3,000 a week, a very good wage I should think. Now what is the work His Royal Highness performs in return for this ample wage? Upon that point I will quote the evidence of the *Daily News*. Some time ago the *Daily News*, a Liberal, pious, and respectable authority, said:

"The Prince of Wales had a hard day's work on Saturday. In the afternoon, besides holding

a *levée* he unveiled a statue of Sir Rowland Hill at Cornhill, and in the evening he dined with the Lord Mayor at the Mansion House, and afterwards witnessed part of the performance of the *Marriage of Figaro* at Covent Garden."

And that, then, is a hard day's work!

*MR. SPEAKER: I hope the hon. Gentleman will observe that tone of decorum and respect that is traditional in this House.

MR. ABRAHAM: Sir, I immediately bow to your decision. We are sometimes told that England is a wealthy country, and can afford this expenditure. That England is a wealthy country no one will deny, but that England can afford to do these things I absolutely deny. If this expenditure can be afforded, then these large sums of money are much more needed in other directions than in this. Whilst we find large numbers of people dying from starvation in our midst; whilst we see so many thousands of our countrymen barely able by the most arduous exertions to keep the wolf at bay; while money is wanted for the means of life among the poorer classes of the community, I say it is almost criminal extravagance to ask us to vote this large sum of money in the face of the prevailing poverty and suffering among the working classes of the country, and if it is voted I am afraid that it will be the means of estranging the people of this country from their rulers, and ultimately be the means of weakening the State in this country. That being so, I feel I should not be doing my duty if I did not rise to protest in the name of the toiling thousands of the people against any further sums being granted to the Queen, her children, or her grandchildren.

*SIR ROPER LETHBRIDGE (Kensington, N.): I do not intend to follow the hon. Member who has just sat down into those strictures upon the public or private conduct of our beloved Sovereign and other members of the Royal Family, which strictures it was perfectly obvious jarred upon the feelings of nearly every Member of the House, not only on this side but on that. I rise, Sir, mainly for the purpose of pointing out that the hon. Member for Bethnal Green (Mr. Pickersgill), who spoke a little earlier in the Debate, very aptly and properly indicated that the Amendment now before the House proposes

alternatives, both of them very remarkable and one incompatible with the other. The hon. Member for Northampton suggests—first, virtually that these Grants should not be made at all, for he suggests the amount required should be met out of the savings of the Sovereign; and in the second place, that if it be necessary these Grants should be made, then let them be made out of savings effected by the abolition of certain offices of State. Well, for my part, I am quite prepared, in common with many Members on both sides of the House, to consider fully, carefully, and respectfully any proposals that may be put before the House for economising public money in the way suggested by the hon. Member for Northampton. But I venture to point out to him and to the House that this is absolutely an improper occasion to make any such suggestion, it is in no way germane to the question now before us. Any proposal of the kind should be raised in Committee on the Estimates, or by a substantive Motion, but I maintain such suggestions have nothing whatever to do with the question before the House, and for this reason: either these Grants are necessary and right for the honour and dignity of the Royal Family, and, therefore, for the honour and dignity of this Imperial nation, or they are not. If they are not necessary and right then let the House refuse them, deciding the question on its merits. But if they are necessary and right, then I say this House will merit the just reprobation of the whole nation, and especially, I will venture to say, of the working classes of the nation, if the House refuses these grants. The hon. Member for Sunderland put forward some very strong assertions with regard to what he believes to be the opinion of the working classes of England. Sir, I represent a constituency which contains an overwhelming majority of working men ["No, no!"] During the time I was a candidate I knew this very question raised at many a stormy meeting, being brought forward by gentlemen holding the views professed by the hon. Gentleman the Member for Sunderland. Questions were put to me on the subject, and I venture to say this in the presence of some hon. Members who have been present at the meetings of which I speak,

Sir Roper Lethbridge

that the strong and unmistakable sense of the whole of the working men of London was clearly on my side when I said that I should vote to maintain these Grants. When the hon. Member talks about going into the constituencies and holding a meeting, I would challenge him to go down into North Kensington or even to the East End or any other part of London and to hold a public meeting, and put before the electors the plain question whether the honour and dignity of the Queen and Royal Family should be maintained or neglected by this House. I know what the answer would be. Therefore, I do hope that those who speak in this House for the working classes of this country will, while it is yet time, consider what the feeling of the working men of the country is in the matter of affection and love for the Queen and the Royal Family, and what is their regard for the honour and dignity of the Royal Family, and will refuse to support the Amendment now before the House.

MR. COSSHAM (Bristol, E.): I do not think it could be possible to put the case more clearly than it has been put by the hon. Gentleman who has just sat down. He says that if the country could be convinced that the honour and dignity of the Crown are involved in the proposal now before the House, the country would not hesitate to support it. I do not believe, however, that the country considers that the honour and dignity of the Throne depend upon this Grant of £36,000, and that is why I am here to oppose the Grant. My firm opinion is that the country believes that we have done enough already to promote the honour and dignity of the Crown, and it is because I believe that, and not because I am disloyal, that I take up my present position. I hold that it is not germane to the proposal before the House to discuss the question as to whether we should have a Monarchy or a Republic. Personally, I have no very strong feeling one way or the other. We are all agreed that so long as we have a Monarchy it ought to be supported with dignity. We have nothing to fear from the Monarchy, as I believe that through the medium of a limited Monarchy such as ours we can work out all the reforms we require. If we were starting with a clean bill of health, so to speak—with a clean sheet

of paper—I might have some observations to make as to the best form of Government to adopt; but, situated as we are, and seeing that we can work out reforms here as well as they can work them out in other countries, I am content to pass by the question of our form of government. I oppose this Grant, however, because I believe from the study I have been able to make of history that nothing is so dangerous to the Crown and the honour of the country as an attempt to push absolute power too far. We have never suffered from this evil during the present reign; but we cannot forget that Monarchies have been brought down by the undue exercise of arbitrary power, and that, in point of fact, it was the unwise exercise of such power which brought about the downfall of our own King Charles I. in the 17th century, and of King Louis XVI. of France. Nothing can be more dangerous to our Crown than these petty-fogging demands for more money—than extravagant demands by Parliament upon an already heavily burdened people. This is the danger we have to face at present, and it is an ancient danger. It was pointed out by the Seer Samuel a thousand years before Christ. Pointing out the danger of a Monarchical form of Government, he said—

“He will take your sons and appoint them for his chariots; he will appoint captains; make them reap his harvests; take your daughters for confectioners, cooks, and bakers; take your fields, vineyards, and olive yards and give them to his servants.”

*MR. SPEAKER: I really think the hon. Gentleman will see that he is not discussing the Report of the Committee.

MR. COSSHAM: I am merely pointing out, Sir, that many centuries ago we were warned of some of the extravagances which attend upon Monarchies. It is because I believe that danger to exist at the present time that I now ask the House to pause before voting this additional Grant. Looking through the Debates which have taken place on this subject, I find that in December, 1837, when the Civil List was fixed, and the sum of £385,000 a year was proposed, several hon. Members objected to the amount. I notice that Mr. Hume raised strong objections to the proposals of the Government, declaring that they were cast in a very extravagant scale, and that proposals of

this kind tended to weaken the position of Royalty. Well, what would he have thought if he had known that in addition to the amount then voted £36,000 more would be asked for at this time? It is because I desire to see the Monarchy respected, and because I think that such proposals as the present tend to weaken the sentiment of respect for it, that I now put myself in opposition to the Government. I cannot help reflecting that the House of Commons has already made ample provision for the Crown. That case, it seems to me, has been made out beyond all question. There is a great part of the Grant to the Crown which does not go to the Queen, and for which she should be in no way liable. I cannot shut my eyes to the fact that a great deal of this money goes to a greedy and selfish aristocracy. I see that £200,000 a year of what is voted to the Queen, is absorbed by the aristocracy, which parasite, fixed upon Royalty, tends, in my humble judgment, more than anything in this country, to the development of Republican ideas. My own impression is that when the right hon. Gentleman the Member for Mid Lothian just now said, in language I could not profess to imitate, that the time would come when the Civil List would have to be reviewed, he pointed in his own mind, though he did not say so, to the time when that Civil List would come up for review in a Parliament less subservient to Royalty and more considerate for the public purse than the present Parliament. The hon. Gentleman who last spoke claimed to represent a large number of the poor of this country. Well, to my mind the great danger we have to face at the present moment is the great number of poor people there are around us who find it almost impossible to make a living. Depend upon it, one of the great causes of Nihilism in Russia and Socialism in Germany is the poverty of the people; and our danger is not in any desire to pull down the Throne, for that desire does not exist, but in the misery of a number of people who can hardly support themselves. When the House of Commons is voting in this way the money of the people, the feeling naturally arises that the Government exists for the benefit of the rich and not of the poor. I would close with a word of warning to Gentlemen

on the other side of the House. There is a question coming to the front before long, and that is the equitable adjustment of the burdens of the people, and every vote given of this kind is bringing the time for the settlement of that question nearer. Those who are so ready to vote these sums do not bear their fair share of the national burden, and not Members may depend upon it that reckless action of the kind we are now asked to take is bringing nearer the time when the demand will have to be faced that property shall bear a larger proportion of taxation than it bears at present. I regret to be obliged to go into the Lobby against the view expressed by the Member for Mid Lothian, but I shall do so because I desire to protect the interests of the poor.

*SIR W. BARTHELOT (Sussex N.W.). I should like to say a few words on this very important question. I was certainly surprised to hear the remarks which have just fallen from the hon. Gentleman the Member for Bristol, because he declared that he is not convinced by the speech of the right hon. Gentleman the Member for Mid Lothian. I do not think he can have listened to that speech, for a more loyal, a more dutiful, and more effective speech in the interests of the Crown than that of the right hon. Gentleman has never been delivered in the House of Commons. I am glad to find, moreover, that even the hon. Gentleman the senior Member for Northampton, Mr. Labouchere, as well as the hon. Member for Sunderland (Mr. Storey), have both expressed their great loyalty to the Crown. That is a thing which has come out to-night more clearly than anything else, and I am only sorry that the hon. Gentleman who has just sat down did not adopt the same tone in recognition of the fact that there never was a country which possessed a more loyal and devoted people, or a Sovereign who has paid more attention to those constitutional principles which she promised to observe when she ascended the Throne of this country. Our Queen has observed to the full all the vows she made, and I venture to say there is not a man in the House who can utter a word against the honour and dignity of Her Majesty. I do not think it is right to contrast, as the hon. Member for Sunderland did, the emoluments of the Crown with

particular instances of poverty in the country. Everybody feels and has sympathy for those who suffer from distress in this country. We all know what a mass of misery exists; and there is no one in the country who would sacrifice more in order to prevent and put a stop to it than Her Majesty; but the question we have to consider on this occasion is whether it is right and proper, under all the circumstances, to make the Grants asked for. No one could have missed the case as to these Grants more effectively than the right hon. Gentleman the Member for Mid Lothian, and I was only sorry that there was any difference between him and the Members of the Government on the Committee. All, at any rate most of us on the Committee, were most anxious—my right hon. Friend the First Lord of the Treasury especially—that we should be unanimous in our opinion as to these Grants. In the Committee we thoroughly understood the ground upon which the hon. Member for Northampton and the hon. Member for Morpeth took their stand, for they have both declared that nothing would induce them to support these Grants; but we could not quite follow the line adopted by the right hon. Gentleman the Member for Newcastle (Mr. J. Morier) and the hon. Gentleman the Member for Bedford (Mr. Whitebread) who cavilled at some of the proposals made by the Government. They said that unless we agreed to certain alterations in our Report nothing would induce them to vote for the Grant to the Prince of Wales's family. They said there must be certain conditions laid down, and I ask hon. Members whether they think it was consistent with the duty of those who sat on the Committee, and who agreed with the Report placed on the Table, that they should turn round and alter their Report, even though they sacrificed the votes of those two right hon. Gentlemen? I cannot understand the difference between us. They were prepared, under certain conditions, to vote for this increase of expenditure, but they put an embargo on those conditions, and my firm belief is that they were anxious to escape from voting for an increased Grant by the statement they then made. I can only say that such would never be my attitude. If I thought it right to vote a certain way on a question, I should

Mr. Cusham

vote that way because I considered it just, and should not hamper the vote with any conditions. In this instance I voted for the proposal of the Government because I thought it just and right, and was only sorry to find two distinguished men demanding conditions which the Committee were not able to accept. I also think that the proposal of the right hon. Gentleman the Member for Mid Lothian to reduce the sum of £40,000 to £36,000 was unworthy of his great name and reputation. Much has been said about the enormous sums which Her Majesty has been able to save and about the purchase of Balmoral and Osborne. I only wish it could be stated what the amount is which Her Majesty really has saved, because it would enlighten certain hon. Members upon the subject. I ask hon. Gentlemen whether they do not think it has been to the advantage of the nation that Her Majesty has been able to purchase a residence in Scotland, amongst her Scotch subjects, and the Osborne Estate, where she has a bird's-eye view of that magnificent fleet of which we are so proud. ["Oh" and "Hear, hear."] I hear some hon. Gentlemen say "Oh" and "Hear, hear," and I would merely remark that those who say "Oh" and "Hear, hear" whenever we mention the Navy are not, in my humble judgment, gentlemen who have that respect for the honour and dignity of this great nation which we wish to maintain. ["Order, order."!]

*MR. SPEAKER: The hon. Baronet says that hon. Members have no regard for the honour and dignity of the country. I think that is hardly Parliamentary language.

*SIR W. BARTTELOT: I did not mean it to be taken in that way, Sir. What I desired to convey was that gentlemen who receive the mention of the Navy as some hon. Gentlemen opposite receive it have not sufficiently at heart the best interests of the country. I do not wish to say anything offensive to anyone, but I maintain that the first necessity of this country is the possession of an effective and efficient Navy. No one is more anxious than I was that we should have a clear understanding as to this money to be voted to the Prince of Wales, and as to what would be the state of the case in the event of the death of the Prince of Wales, but I

have since learnt that in the event of the death of His Royal Highness the Grant is to remain as at present until the end of the present reign. Other arrangements will be made when a new Civil List is arranged. In reference to what has been said as to the enormous sum granted to Her Majesty, I should like to point out that less per head of the population is paid to the Sovereign in this country than is paid to the Sovereign of any other nation of the same size and position; and the Civil List is in comparison certainly lower than that of any other country. Besides, in considering the amount of £385,000 granted to Her Majesty, we must remember that the amount surrendered to the country by Her Majesty on her accession to the Throne was £468,000 a year. On both sides of the House we are as loyal to the Crown, I hope and believe, as it is possible to be, and I am sorry that such an Amendment as that proposed by the hon. Member for Northampton has been brought forward. I am sorry because, though it may not be regarded as anything more, yet it cannot be regarded as other than an act of discourtesy to a Sovereign who has served this country so long and so well, who has been the warmest sympathiser with her subjects; from the highest to the lowest, in all their trials, and from whom so many of us have received such heartfelt encouragement and support in enabling us to bear up against those afflictions. Looking at the position the Prince of Wales has occupied amongst us, at the readiness with which he invariably throws himself into any work which excites the interest of the country, and at the fact that he is never wanting when required to perform any public duty, I think, looking at the circumstances of the case, it would have been but courteous and right to have adopted the recommendations of the Committee, if not unanimously, certainly without the strong, and as I think uncalled-for, language which has been used.

*MR. BIRRELL (West Fife): Sir, it is with unaffected reluctance that I rise to address the House for the first time on a question of this kind. I think, though I may be wrong, that, in the matter of a money Grant, I am bound as a Member of Parliament (to use the words of Burke in this very same

represent a mere party majority. If any fault is to be found with the Report, it is to be attributed to the Government having conceded too much. According to the last speaker, if Her Majesty, to put it in plain English, had been more extravagant and had not kept her bargain, the country would have been more disposed to be liberal. I should not have regarded the matter in this light. I am not prepared to say that because Her Majesty has shown strict prudence in the management of her private affairs the House should deal ungenerously with her. I have no quarrel with the hon. Member for Northampton or the hon. Member for Morpeth, but the case is different with regard to the other Members of the Committee. I would appeal to the House to consider how this matter appears to reasonable men. The Government stated that they were prepared to make an agreement with Her Majesty that she should provide for the children of her daughters. That was a concession on their part. They made a further concession that no appeal should be made for the children of younger sons. The right hon. Member for Mid Lothian has recognised these concessions on the part of the Crown. Therefore, I may fairly appeal to those Members of the Committee who do not take up the irreconcilable position of the hon. Member for Northampton, that they should make a reasonable concession to the Representatives of the Crown. Considering, therefore, that these claims were absolutely waived, though there was no precedent for such waiver, it was not reasonable to expect that the Government should accept a proposition directly opposite to that which they had laid before the House. I think that when Her Majesty's Government have given way practically all along the line, when they have agreed to a Report in which the claims of the younger children are waived, when they have agreed to a Report embodying recommendations that when the Civil List should be settled, it should be settled on a basis rendering it impossible for similar demands to the present to be made, I do think that some concession might have been made to the feelings of the present reigning House, and that hon. Gentlemen opposite might have joined with the right hon. Gentleman the Member for Mid

Lothian in making provision for the children of the Prince of Wales.

MR. J. MORLEY (Newcastle-on-Tyne): I do not rise for the purpose of entering at length into the very large and important issues raised in the earlier part of the discussion, but I think it right, especially after what has fallen from the hon. Baronet who has just sat down, to say what may be said to justify the attitude of which the hon. Baronet has complained. I think we may all congratulate ourselves on the acquisition we have received in my hon. Friend (Mr. Birrell). His speech contains promise of future important contributions to our Debates. I agree with my hon. Friend that this is a most distasteful subject, which none of us would approach if we could avoid it. I also agree with my hon. Friend when he said that a great deal of the fever in the public mind would be abated if Her Majesty's Government had made a rather more frank statement of the resources at the disposal of the Crown. The hon. Baronet is unable to understand how those Members of the Committee who, like myself, went a considerable way with the Government did not accede to the final proposals. What was the position of the four of us who voted finally, with a reluctance that can easily be imagined after the magnificent speech which we have heard to-night, when we parted from our Leader? We were from the beginning hostile to the extension of any Grants to the grandchildren of the Sovereign. We recognised no claims on behalf of the grandchildren and no obligations on the part of Parliament. The Government came forward in the Committee with proposals which the hon. Baronet has smoothly passed over, but they were stupefying proposals even to some hon. Gentlemen on the other side. They involved a contingent annual demand—contingent upon the marriages of the Prince of Wales's children—of nearly £50,000 a year, as well as a possible capital sum of £30,000. More than that, they contemplated a Grant to the children of Her Majesty's younger sons. This proposal was felt to be so impossible that within a few hours the Government withdrew it. The hon. Baronet called it a concession. It was no concession; it was the withdrawal of an impracticable and an impossible proposal. The proposals involved an obli-

gation which we entirely denied, and they committed Parliament to an endless chain of future demands. In spite of the untenable nature of the Government proposals, in spite of the uncertainty in which they remained for three days, we were so convinced of the desirableness of avoiding anything like mischievous friction in the relations between Parliament and the Crown that we persuaded ourselves to assent to a Grant of a moderate amount—I do not call £40,000 or £35,000 a moderate amount, but we persuaded ourselves to consent to the Grant of a moderate amount provided the Government would consent to sweep away from their proposals every shred and vestige of the right and claim of obligation. We never admitted at any stage that there were any imperative circumstances which justified the present demand or imposed upon Parliament any sort of obligation to comply with that demand. What we said was this—"If you will drop all your arguments and pretensions from precedent and from want of notice; if you will cease to assert any claim as a right; if you will close the account, we will agree on our own part, whatever may be thought by our friends—we will assent, in the interest of peace and quietness, to a moderate Grant." The right hon. Gentleman, I see, assents to that as a complete and fair statement of our case. We made it clear from the first, we repeated it at every stage, and that is the purport of what is called the compromise. Hon. Gentlemen below the Gangway may blame us if they please, but the hon. Baronet opposite, and Gentlemen opposite, cannot blame us. They cannot say that they found us intractable or irreconcilable. I am not sure that I did not for my own part strain my own pledges to my constituents. I rather think I did, but I justified it to myself, and I am prepared to justify it to them, on two grounds. My first ground was that I was anxious to avoid friction that could be avoided. We desired, as much as the right hon. Gentleman desired, unanimity. We desired, as he said in his opening remarks to-night, practical concurrence upon a practical proposal. My second ground was this—and I really do not know why I should be ashamed to own it—that I was anxious to avoid parting company, on what is a matter of secondary import-

Sir S. Northcote

ance, with the Leader to whom, on all matters of primary importance, I am and all of us are bound by ties of gratitude. I hope the House will not think I am wrong in stating plainly my position. But what happened? The Government came down with their new and revised version of their proposal, but the obnoxious statement of the case reappeared in an aggravated form. Paragraph 14 of the draft Report begins with this proposal:—

"In view of the facts above stated, your Committee are of opinion that Her Majesty would have a claim on the liberality of Parliament should she think fit to apply for such Grants as, in accordance with precedent, may become requisite for the support of the Royal Family."

That was a re-statement of the very case in an aggravated form to which we objected. Therefore we repeated our remonstrance. We added at this stage compromise to compromise. We even expressed our willingness not to ask for a negation of the Royal claim; we said we should be willing to acquiesce in the mere withdrawal of the affirmation then made. That was the contention we held all along, and it was a contention which the Government had and have done nothing to meet. My right hon. Friend the Member for Mid Lothian to-night put a very charitable interpretation on the attitude of the Government in putting that clause into the draft. But in the Committee my right hon. Friend was more suspicious of right hon. Gentlemen opposite. He then put a less charitable interpretation upon that clause, because he moved an Amendment to which I must invite the attention of the House. It will be observed that the Government contended that Her Majesty had a claim. My right hon. Friend, upon whose authority I am glad to lean, moved this Amendment—

"In lieu of Clause 14—Your Committee have recited the facts of previous practice in accordance with the order of reference under which they have been appointed. An important question arises whether and how far those facts form a ground of action under the new method which, at a period later than the reign of George III., has been applied to the Civil List, and since the Duchy of Lancaster has added so largely to the means at the disposal of the Sovereign. A further addition to these means might also be expected, in the judgment of your Committee, from possible retrenchments to be made in connection with the Royal Household and otherwise."

That was the Amendment moved by my right hon. Friend, and it shows that he was not satisfied with the statement put forth by Her Majesty's Government on that 14th clause. We have objected, as did also the right hon. Gentleman the Member for Mid Lothian, to the paragraph about notice. My own view about notice is this—that there was no right to notice, that there was no reason in the nature of things why Parliament should have been expected to give notice, that there was no obligation on Parliament to give notice. What gave sufficient notice to the Crown to make wise and prudent provision was the enormous increase which had taken place in the revenues of the Duchy of Lancaster; and, further, the annual transfer of £16,000 or £18,000 which had not been contemplated when the Civil List was settled. We rejected this claim of notice. The Government then relied upon precedents. I submit that every one of those historical facts upon which the Government have relied for the purpose of precedent are prior facts, but they are not precedents. This is a distinction which the House will not smile at, for it is a genuine distinction. The whole of the conditions under which these Grants were made upon which the Government rely as precedents were, when the principles upon which the Civil List was settled, entirely different, and are not in any way calculated to guide us in the present conditions. A wise man said, "We are not going to suffer bad things because our ancestors suffered worse." We of the present generation are called upon to give Grants which upon the merits are not defensible, simply because in former reigns such Grants were made. In this persistence of Her Majesty's Government, what are we to do? They persist in propositions which misrepresent the present facts of the case, and which place the proposed Grants on a wrong and an unreal foundation, and, worse than that, they persist in propositions which leave room for the assertion, direct or indirect, of these claims on future occasions. I would point out in passing, that if the contention which the Government maintain and the position which the hon. Baronet has taken up are sound, they mean nothing less than this—that you have been treating the Sovereign in a mean, hard, and shabby manner.

SIR R. FOWLER (London): Hear, hear!

MR. MORLEY: The hon. Baronet is always ready with cheers, not always of a meaning kind. If these propositions mean anything they mean that those gentlemen are shirking a claim which Her Majesty has for a Grant. I hope the hon. Baronet is satisfied. We hold a distinctly opposite view; we hold that there is no claim, no obligation on Parliament, and that every shilling advanced on behalf of the grandchildren of the Sovereign would have been an act of liberality and grace on the part of this Parliament. Is it clear from any words which have fallen from Her Majesty's Ministers or any declaration made by the right hon. Gentleman to-night or in Committee that no claim for the grandchildren of the Sovereign beyond the family of the Prince of Wales is to be made under any circumstances whatever during the present reign? It is important that there should be a clear answer to that question, because I read in an organ which strongly supports Her Majesty's Government and these Grants language of a very different kind. One of the great organs of opinion last Saturday, after the position of Her Majesty's Government was thoroughly understood by the writer, says:—

"Contingencies may easily be conceived in which grandchildren of the Queen outside the family of the Prince of Wales might find themselves in circumstances which would appeal irresistibly to the sympathy and good feeling of the people of England."

I am not saying whether such might or might not be the case. Upon that I make no observation. In another organ, which also supports the Government, a more specific illustration is given, and this language is used:—

"The lapse of the provisions voted by Parliament to the late Duke of Albany puts the country in a position to recognize the claim of his eldest son to stand in his father's place, and were a Parliamentary Grant to be applied for on his behalf we believe that the public at large would view that application without disfavour."

Upon that again I make no observation. What I submit is that by the position taken up by Her Majesty's Government the claim is still left alive. I admit it may be temporarily dormant; it may be that they intend it should lie in abeyance for a time; but from their language that claim is still alive and is sure to be revived at the next settlement of the

what it is to-day. And since the reign of William I. it was well known that every provision made for every member of the Royal Family was not made out of the Civil List, but out of something entirely separate from and beyond it—namely, out of the Consolidated Fund and the express vote of Parliament. These are the "prior facts," and they are quite enough to enable Her Majesty to expect that the course which was pursued towards her predecessors would be pursued towards herself. There is another prior fact which ought to be considered by the House, and which I do not think the right hon. Gentleman has ever properly appreciated—namely, that during the present reign, after the Civil List Act was passed, and after the present arrangement was made between the Sovereign and her people, the grandchildren and children of a younger son of King George III. were endowed with a Parliamentary grant: and on the occasion when that endowment took place no person in this House, not even Mr. Joseph Hume, who opposed the grant, ever ventured to call in question the principle which the right hon. Gentleman has stigmatized as stupefying. It is quite true that Mr. Hume objected to the grant—not to the principle of the grant—everybody admitted the principle—but simply to the amount, and he took a Division in the House and opposed the Bill at several stages because he objected to the proposed amount. The right hon. Gentleman has also misrepresented the attitude of the Government. What the Government stated was that no notice was given or to be found in any Resolution of the House during the present reign, or in any declaration ever made by any Minister, from which Her Majesty ought to have concluded that the "prior facts" of the former reign would not be repeated in the present reign. The ingenuity of the right hon. Gentleman and his friends has failed to find any such communication. None such has been brought before the House in this Debate, and I venture to say it will not be brought before the House, because there is no such thing in existence. In the absence of any action of that kind, there was no opportunity given to Her Majesty to provide by savings for those obligations which she had a right to suppose had been undertaken by Par-

liament and the monarchy. Now, I appeal to the House whether, with arguments so strong impressing themselves on the mind of the Government, the Government would not have been guilty of a misaction of duty if they had allowed themselves to be seduced by the right hon. Gentleman. The right hon. Gentleman said that he was prepared to acquiesce in a simple total withdrawal of the claim. But the right hon. Gentleman forgot to ask the House of Commons what he intended as a sine qua non that the original Resolutions which were read to the Committee by the First Lord of the Treasury should be put upon record, and that he also wished it put on record that no notice was taken of them in the final Report of the Committee when the final proposition was advanced. Then he would have come to the House of Commons and said:—We forced the Government to drop their monstrous proposition for the endowment of these grandchildren of the Queen. I do not deny, if that course had been pursued, the right of the Crown, if that right exists, would have been prejudiced by having been put forward and afterwards passed over *sub silentio*. That was the reason why the right hon. Gentleman's proposal could not be agreed to. But the right hon. Gentleman, after all, is quarrelling about mere words. We were all agreed, with the exception of the hon. Member for Northampton and his friends, whose attitude we all understand. The right hon. Member for Bedford (Mr. Whitbread), and the other distinguished ornaments of the Party opposite, agreed as to the substantive and practical proposal. They agreed the Prince of Wales should have a fund out of which he was to make provision for his children, but they broke away from that agreement because the Government would not formally negative a claim which their right hon. and revered Leader says is now absolutely removed from practical politics. But to defend himself from the accusation of having broken away from the agreement for the sake of a mere quarrel about words, the right hon. Gentleman (Mr. J. Morley) has invented a most extraordinary theory as to what may happen on the next settlement of the Civil List; which we all hope may be at a very remote period. I have utterly failed to understand, and I doubt whether anybody in

Sir J. Corst

the House understands, this theory. The right hon. Gentleman is haunted by an idea that by the use of some form of words he can fetter the much wiser Parliament which will be in Session when the next Civil List has to be settled. I cannot understand how any form of words we can use can by possibility abridge the right and discretion of that Parliament, although we have stated in our Report that on the next occasion when these matters have to be considered it should be made impossible for any claim of that kind to arise. Of course, I know that the use of these words will not prevent a future Parliament from exercising its own discretion in the settlement of the next Civil List. If the right hon. Gentleman should be one of those who have to arrange with the Crown for the settlement of the next Civil List, I do not think that the Report of the Committee will be any obstacle in his way, and I do not think that, whatever we may do at present, we can provide for a remote future. I do not know whether the House is disposed to have any regard for authority or advice. But I should have thought if there was one Member of this House in whom the Liberal Party would have placed its confidence it would have been the old Parliamentary hand who addressed the House at the beginning of the evening. We have his authority for saying that the claim on behalf of the younger sons of the Sovereign is now out of practical politics. We have his authority for these very words to which the right hon. Gentleman objects, and on account of which he excuses himself from having broken away from the agreement to which he was inclined to assent; and we have, therefore, a right to say that no such agreement as the right hon. Gentleman asks should be entered into. Although I am not one of the followers of the right hon. Member for Mid Lothian; although I do not show my respect for him by praising his magnificent speech and then deserting him upon a most important and critical question, I for one would be inclined, in a matter of this kind, to follow the right hon. Gentleman when he pronounces that we have done what was most calculated to prevent claims of this kind from arising in the future; and, in doing so, I should feel tolerably satisfied that

I had done what was right in the matter. I must apologise for having detained the House so long, but I thought it might be useful in clearing the atmosphere of our Debates, which I suppose may go on for many nights to come; if the attitude of the right hon. Gentleman and opposite were made perfectly clear and plain to the House. I thought that I was assisting our Debates by helping the right hon. Gentleman to make his own attitude perfectly clear; but as far as the question immediately before the House is concerned, that question is now dead until some Member of the Party of the hon. Member for Northampton will grapple with and answer the arguments put forward at the beginning of the evening by the right hon. Gentleman the Member for Mid Lothian.

*MR. WHITBREAD (Bedford): I did not intend to take part in the Debate, but the remarkable speech we have just heard induces me to say a few words. If the only object of that speech was to fill up time until to-morrow night then; to use the language of time workers; the hon. Gentleman has "put in his time" very satisfactorily, and possibly his own friends may even think he added some overtime. The hon. and learned Gentleman began by boldly asserting that the Government had not given way in any of their positions. I hope that the hon. Gentleman will settle that question with the hon. Baronet behind him, who has told the House that the Opposition was so unreasonable because the Government have given way all along the line. The Resolutions of the Government, which are the exposition of their minds upon the subject of the Royal Grants, were, after all, according to the hon. Gentleman, only pilot balloons sent up to find which way the wind was blowing. I am glad that the hon. Gentleman has at last let the cat out of the bag; I always suspected it; I almost felt sure that though we were kept in suspense for 40 hours that the stern refusal of the Government to omit the obnoxious words about the validity of claim arose from their proposals having been pinned to the desk, and from their desire not to stultify themselves by omitting all mention of a claim which, in the first instance, they proposed as a good one. The attitude of the right hon. Gentleman the Member for New-

members of the Committee had agreed to support his nomination. Being under that impression, I did not secure the attendance at the first meeting of two of my hon. Friends. Late that night I learned for the first time that some question had arisen whether the two Conservative members in question would adhere to the understanding. It was then too late to secure the attendance at the first meeting of the Committee either of Mr. Blane or of Mr. Clancy. When the Committee met, Sir J. Whittaker Ellis moved the election of Sir W. Marriott as Chairman of the Committee. Mr. Lea, who was, I think, entitled, if he had pressed his claim, to occupy the Chair, moved that Mr. J. Morley be elected. Sir J. W. Ellis, Alderman of the Broad Street Ward, ex-Sheriff and Lord Mayor of London, and Chairman of the Irish Society whose affairs were the subject of the investigation by the Committee, endeavoured to prevent any observations being made on the Motion; but the clerk of the Committee, on being appealed to, stated that the usage on the Committee as to the election of Chairman was the same as the usage of the House respecting the election of Speaker. Mr. Lawson then pointed out that Sir W. Marriott was already Chairman of an important Committee which occupied a considerable portion of his time. I ventured to point out to Sir W. Marriott that amongst his various and multifarious accomplishments, no one could claim for him a knowledge of Irish affairs. I appealed to him not to set himself against the unanimous wish of the Irish Members of both parties on the Committee, and I pointed out that Mr. J. Morley had official and Parliamentary experience which fully qualified him to preside over the Committee. I warned the majority of the Committee present that the action they proposed could but have an unfortunate effect upon their proceedings, if, indeed, it did not entirely paralyse their action. A Division was taken, and Sir W. Marriott was elected Chairman by five votes—namely, the votes of Sir W. Marriott himself; Lord Elcho; Sir J. W. Ellis, Alderman of the Broad Street Ward, Ex-sheriff and Lord Mayor of London, and Chairman of the Irish Society; Colonel Laurie, a member of one of the City Companies; and Sir Richard Temple, a member of

the School Board for London. The three members who voted for Mr. J. Morley were Mr. H. Lawson, representing the English Liberal Party; Mr. T. Lea, representing the Irish Unionist Party; and I myself, representing my hon. Friends. The wish of the Irish Members having been in so conspicuous and unanimous a measure disregarded, I felt I could not regard the future proceedings of the Committee with any hope; and knowing that Sir W. Marriott was the Advocate of the Irish Society and the London Companies, I could not accept his rulings as to the admissibility of evidence and so on. Neither my hon. Friends nor myself could condone by our continuous presence what we honestly felt to be in the nature of a scandal. Under these circumstances we felt constrained to sever ourselves from the Committee, and we ask the House to adopt the Motion.

SIR W. MARRIOTT (Brighton): I cannot but regard this as a storm in a teacup. As to any understanding, certainly I never made one myself personally, and I am informed by hon. Members here present that they never had any understanding at all. So far as I am concerned personally, I was asked by Mr. Lea whether I wanted to be Chairman, and I told him "Certainly not." I was asked afterwards whether if I was elected Chairman I would act, and I said, "Certainly I would." Well, I am told the Committee meeting was called purposely at half-past 11 to suit the convenience of the right hon. Gentleman the Member for Newcastle (Mr. J. Morley) because he had to be at the Royal Grants Committee meeting at 12. At half-past 11 there were eight members present, and I was proposed Chairman, and Mr. Morley was proposed Chairman. I did not wish to take any part in the proceedings, and retired into a corner of the room while they were fighting it out amongst themselves. The right hon. Gentleman (Mr. Sexton) did make an appeal to me to retire, and I said I would retire when asked by those who were supporting me to retire, but not at the request of political opponents. It was put to the vote, and four votes were given for myself and three for Mr. Morley. I did not want to vote, but I was told I must vote because I was in the room. Well, I had been elected by four to three. I might have stultified

Mr. Sexton

the vote of my Friends by voting with my political opponents. I considered what was my political duty, and I thought it was to support my political Friends and to vote for myself. The right hon. Gentleman (Mr. Sexton) then walked out of the room, but neither Mr. Lawson nor Mr. Lea followed him. Mr. J. Morley never put in an appearance, and Mr. Blane came in a few minutes afterwards. Then it became a question of how we were to proceed. This is not the first time hon. Members on that side of the House have retired from places when the course of procedure was not going quite as they wished. I have known them retire from this House, and we never found that business was retarded by their retirement—in fact we found it was rather accelerated. When I was asked what we should do I said we must go on, as we were commissioned by the House to make a certain inquiry. On Monday we got through a large amount of business, and all I can say is we very much regret indeed the absence of our friends opposite, but we are determined to do our duty as well as we can without them.

*MR. W. LAWSON (St. Pancras, W.): I would not ask to be discharged from the Committee, did I not believe that there had been a distinct breach of an honorable understanding and of a time-honoured usage of this House. It was agreed by all Members of the Committee that Mr. J. Morley should be elected Chairman. Probably he would have refused to serve on the Committee had that not been the case. It has not been usual to take note of any political distinctions in the election of Chairman, and I would ask whether there is any precedent whatever for rejecting an Ex-Cabinet Minister when he offered himself for election. The whole constitution of the Committee was open to criticism in many respects. It is not a very common thing for those who have pecuniary interests in subjects under inquiry to take a seat on the Committee. The hon. Member for Kingston-on-Thames (Sir J. W. Ellis) with almost indecent haste proposed the election of Sir W. Marriott, and then proceeded to interrupt anybody who wished to offer any remark on his proposition. The meaning was too obvious to be misunderstood. The right hon. Gentleman, I believe,

persuaded my hon. Friend, the Member for Evesham, to reverse the judgment he had first formed to support the right hon. Gentleman the Member for Newcastle. Of course the interested parties were well represented on the Committee, and I would point out that the right hon. Gentleman the Member for Brighton was already the Chairman of another important Committee. It was not likely that this Committee would terminate its labours this Session, and as the other Committee will also meet again next Session, I ask the House, can the right hon. Gentleman be expected to take the chair in two important Committees in one Session? He is a professional man with a large practice, and I must say, that from my experience of his attendance on Committees on which I have also sat, I should not be inclined—without any reference to Party considerations—to give my vote in his favour. He and I served on the same Committee for some years, and though he was present when the Report was being considered, I do not think he put in one attendance while the evidence was being taken. The right hon. Gentleman will forgive my bringing this to his notice, because I think he will understand from his sense of the fitness of things that when we have an Ex-Cabinet Minister of high character offering himself for election as Chairman of a Committee, it is hardly possible that we can reject him under such circumstances in favour of the right hon. Gentleman himself.

SIR W. HARCOURT (Derby): I think that this discussion ought not to be left entirely to the Members of the Committee, as it has a wider application than that. I think that this is a striking illustration of the manner in which hon. Members opposite wish to treat Irish affairs at Westminster which they will not allow to be transacted at Dublin. A Committee has been appointed to consider matters seriously affecting the Irish people, and a Member of Parliament interested in these very companies actively employs himself in promoting the election of a Member of the Conservative Party as Chairman, in breach of an understanding to the contrary. The right hon. Gentleman never seems to look at it from any other point of view except that of securing the presidency of a Conservative, and says he is

glad of the course the Irish Members were driven to, and that the Committee can get on much better without them. That is the way in which the Party opposite thinks it best to conduct Irish affairs. You are to get a Committee together, nominate a Chairman of your own Party, and endeavour to get rid of the nominees of the Irish Members. The right hon. Gentleman thinks that that is satisfactory because he has said he is glad.

SIR W. MARRIOTT: Then I will say that I am very sorry.

SIR W. HARCOURT: I only hope that to-morrow the papers will correctly report what the right hon. Gentleman has said. I speak under the correction of the House when I say the right hon. Gentleman stated that he had observed that when the Irish Members retired from the House Irish affairs were better conducted. That is the manner in which hon. Gentlemen opposite propose to transact Irish affairs; that is the admirable—I will not say, manoeuvre—but piece of generalship, if I may use the phrase—by which the Judge Advocate General has brought to bear his great powers of combination and secured the position of Chairman of the Committee, in which he has so triumphed that his foes have retired before him. The right hon. Gentleman is proud of his achievement, and the worthy Alderman (Sir R. Fowler), who presides over the London Companies, whose action is to be inquired into, has not only got his own Chairman, but has got rid of everybody likely to oppose him. The hon. Gentleman has his faithful band who will make a Report entirely to his mind and that of the London Societies, and I have no doubt that the Government will gladly act on that.

SIR G. BADEN-POWELL (Kirkdale): I rise to ask to know whether the right hon. man is in order in imputing to a Member of the Committee of this House?

SIR W. HARCOURT: I intimated that it was extreme from the constitution of the Committee that such a Report would be also expressed an opinion that the Government would act on the Committee, which enjoys the confidence of hon. Gentlemen by whom it is supported. This, I say, is

Sir W. Harcourt

illustration of the manner in which Irish opinion is treated in Westminster, and also of the way in which Irish affairs are to be treated by the Party opposite.

THE CHIEF SECRETARY FOR IRELAND (MR. A. J. BALFOUR, Manchester, E.): The right hon. Gentleman has said this discussion ought not to be confined to Members of the Committee, and I may express my regret that he has thought it necessary to exemplify his own principle, seeing the manner in which he has tried, with an ingenuity all his own, to turn what I understood to be an important discussion on the constitution of a Committee into a Home Rule Debate. The right hon. Gentleman has told us that this is a characteristic illustration of the method in which Irish affairs are treated by this House, and of the unfairness with which Committees on Irish questions are constituted. But I would point out that this Committee was not constructed according to the ordinary rule, inasmuch as one more Irish representative has been placed on it than would have been appointed had the ordinary precedent been followed. That, therefore, instead of being an illustration of the proposition the right hon. Gentleman laid down is precisely the opposite, and goes to show that we are glad to arrange that Irish opinion should have weight in matters of this kind.

*MR. LAWSON: There were six for the Government and five on the other side.

*MR. A. J. BALFOUR: The hon. Gentleman should be aware that my hon. Friend opposite was there. The admission of the right hon. Gentleman is one as to the City Companies, and if we were to divide the House into Parties my hon. Friend would speak with the

a Cabinet Minister or an ex-Cabinet Minister should necessarily be Chairman

Committee of which he is a member totally untenable position. I will admit, however, that the efficiency of Committee was greatly impaired by what has occurred. The value of a Committee depends upon the Report which it makes, and if on a Committee only one member is represented, the Report, from the nature of things, however impartially the proceedings of the Committee are conducted, cannot carry weight with the House. It is perfectly true that Committees have a right to nominate their Chairman, and that is a matter with which the House ought not to interfere. I am very far from giving my opinion as to the merits of the controversy. There has evidently been a misunderstanding, but it is not for me to say who is right or who is wrong; the result is, in my opinion, extremely regrettable, not merely from a moral point of view, but because I think the efficiency of the Committee in carrying out the work entrusted to it by the House is greatly impaired, if not destroyed, by what has occurred.

Mr. LEA (South Londonderry): I am extremely sorry that this unfortunate dispute has arisen, and also that an attempt should have been made to drag it into the arena of Party politics. The inquiry which the Committee was appointed to make was extremely important to Irish interests, and I cannot but agree with the right hon. Gentleman who has just spoken that the efficiency of the Committee is seriously impaired, and I hope he will see his way to the appointment of a Royal Commission to pursue the inquiry which the Committee was appointed to make. I was very much disappointed with the conduct of the

Gentleman opposite. I do not intend to do anything except throw light on the troubled waters; but I am bound to say that, as far as I can see, there was a sort of understanding between the right hon. Gentleman the Member for Newcastle and the Chairman of the Committee meeting that it was the wish of men of all parties to have a Chairman, and I knew that the wish of certain Members was that I think I am right in saying that it was the wish of the

Government. The right hon. Gentleman assented with a certain amount of reluctance, and I felt, under the circumstances, I was bound to propose him. It is not for me to go into the reasons which induced hon. Members opposite to change their minds. If I were to do that I should not be throwing oil on the troubled waters, because I believe those reasons were very unsatisfactory. But what I wish to point out is that there are serious interests devolving upon the Report of this Committee, and the harmonious working of that body is a matter of the utmost necessity. I can understand hon. Gentlemen belonging to the City Companies not wishing this Committee to be very efficient; but I do not think that is the wish of the Party opposite, and certainly not of the Government, and if any other method of inquiry can be devised I should be extremely glad of it. If a Royal Commission can not be appointed I hope the Motion will not be pressed, and that hon. Members will attend the Committee and do what they can to make the Report as perfect as possible.

*COLONEL LAURIE (Bath): As my name has been alluded to as member of a City Company it is only due to myself to say that I was perfectly prepared had the right hon. Gentleman (Mr. Morley) been elected to serve under him with complete confidence in his impartiality and fairness. I am also anxious to say, on behalf of the City Companies, that they are anxious to afford every information and all facilities to the Committee, and they desire that their affairs may be fully investigated. I believe the hon. Member for Southwark, who is a member of a City Company, will confirm me in saying that the City Companies are most anxious to give every possible information to the Committee, whose labours they would be very glad to see completed.

*MR. CAUSTON (Southwark): The hon. Member opposite has alluded to me as a member of a City Company. I should therefore like to take this opportunity of expressing my regret at the unwise conduct of those gentlemen who are associated with City Companies, and who are on the Committee. Such conduct as that we have heard described to-night does immense harm to the City Companies. As a member of one of

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Mr. Lincoln

HANSARD'S PARLIAMENTARY DEBATES.

No. 13.]

SIXTH VOLUME OF SESSION 1889.

[August 3.]

HOUSE OF LORDS,

Friday, 26th July, 1889.

COMMISSION.

The following Bills received the Royal Assent: Indecent Advertisements, Registration of County Electors (Extension of Time), Agricultural Holdings (Scotland) Act (1883) Amendment, Weights and Measures, Friendly Societies Act (1888) Amendment, Herring Fishery (Scotland), Master and Servant, and National Portrait Gallery.

COMPANIES CLAUSES CONSOLIDATION ACT, 1888, AMENDMENT BILL (No. 187).
PARTNERSHIP BILL (No. 188).

Brought from the Commons; read 1^a; and to be printed.

STATUTE LAW REVISION BILL [H.L.]

A Bill for further promoting the revision of the Statute Law by repealing superfluous expressions of enactment, and enactments which have ceased to be in force or have become unnecessary—was presented by the Lord Chancellor; read 1^a; to be printed; and to be read 2^a on Tuesday next. (No. 186.)

LOCAL GOVERNMENT PROVISIONAL ORDERS (No. 3) BILL.

***LORD BALFOUR:** My Lords, I ask your Lordships to suspend the Sessional Order in respect of the Local Government Provisional Confirmation Order Bill (No. 3). This Bill confirms certain orders for the alteration of districts in Yorkshire. They are issued under the Public Health Act, 1875, but upon the passing of Agricultural Holdings Act last year they became still more complicated, and required still

more negotiation and arrangement. In addition to that, it was also found necessary, at a late stage of the proceedings, to make certain important additions in regard to Burial Boards which exist in that part of the country. Under these circumstances, looking at the very complicated nature of the negotiations and arrangements, and that they have now been brought to a successful conclusion, and that matters are now in a satisfactory position, I ask your Lordships to suspend the Sessional Order.

Moved, That the Order made on the 5th day of March last,

“That no Bill brought from the House of Commons confirming any Provisional Order or Provisional Certificate shall be read a second time after Friday, the 28th day of June next,” be dispensed with, and that the Bill be read 2^a; agreed to: Bill read 2^a accordingly, and committed to a Committee of the whole House on Monday next.

INDIAN PLATE DUTIES.

THE EARL OF NORTHBROOK: My Lords, I rise to call attention to that part of the Report of the Royal Commission upon the Precious Metals which relates to the duty upon silver plate; and to move for a copy of the despatch from the Government of India to the Secretary of State of the 2nd of July, 1887, with enclosures, and any subsequent correspondence between the India Office, the Government of India, and the Treasury on the subject. My Lords, I do not think that after some remarks which fell from the Prime Minister the other day, your Lordships will think I have done wrong in bringing before you a matter of so much interest connected with India. We have the advantage in this House of the presence of the Secretary of State for India; we have also

the advantage of the presence of such a man, I am sure, have filled the House with interest. My noble Friend expressed to me that the great advantage of the presence of the noble and learned Lord, Macaulay, who was Chairman of the Royal Commission, was that he would call your Lordships' attention. It is well known that during the last of years there has been a very great fall in the gold price of silver. I do not know the way of stating it in not very accurate, it is intelligible. Four years ago the gold price per oz. of silver was £2, it has now gone down to £1. In other words, the rupee, which in 1844 was worth in gold 1s. 10d., is now worth only 1s. 4d. My noble Friend has been constantly under the attention of the English and Indian Governments, and, lately three years ago a Royal Commission was appointed for the purpose of inquiring and reporting on the causes of that great change in the relative value of gold and silver, the effects that change has produced, and the remedies, if any, which can be applied. That Royal Commission was presided over by my noble and learned Friend Lord Macaulay with great impartiality and ability, as every one must admit who has read the valuable Report issued by that Commission. With respect to the causes of the change in the relative value of gold and silver, the Commissioners were not unanimous in opinion. With respect to a portion of "the alleged effect of the change they differed somewhat; but in respect of two particular effects which have followed from the altered relation of the two metals, they were unanimous. It is with those two points only that I mean to deal. The first of those effects is the great embarrassment caused to the finances of India from the fact that India has to pay annually to this country £14,000,000 to £15,000,000 in gold, while India has to raise that sum in silver from the natives of India.

It has been that the natives have now to pay some 25,000,000 of rupees more in order to pay the £14,000,000 in sterling to this country. That has doubtless been a great embarrassment to India where it is difficult to increase the supply of silver without causing well-grounded

faction. There is another effect also noticed by the Royal Commission which is by no means unworthy of your Lordships' attention, and that is the great hardship which the fall in the value of silver has entailed on public servants in India who are paid in silver but who are obliged, for family or other reasons, to make remittances to this country in gold. An official in India not many years ago receiving his salary in rupees would find 1,000 rupees worth £100 sterling in England, if remitted for the education of his family or other charges; but now, in consequence of the fall in the price of silver as compared with gold, for his 1,000 rupees he will only get something like £70 for remittance to England. This has occasioned very great hardship in the junior ranks of the services in India, and it is by no means a light matter that our countrymen employed in India should be placed in so difficult a position with respect to their payments. In old days when Englishmen in India received inadequate pay, great evils followed, and it has, since those times, been a principle to pay not extravagant, but fair and moderate salaries to Englishmen engaged in service in India. Now, my Lords, the Royal Commission had before it many proposals for the purpose of remedying that state of things, among which the principal was that great alteration in the standard of value known in this country under the term "bi-metallism," which many people consider would entirely remedy this state of things. I am not going to trouble your Lordships with any remarks on that much-debated question. The Royal Commission differed in opinion about it, and I think the Prime Minister the other day, in reply to a deputation which waited upon him on this subject, said very properly that the arguments on both sides would require

to be more thoroughly threshed out before the Government could express any opinion upon so difficult and important a matter. But, my Lords, apart from the remedy of bi-metallism, other humble proposals were made for remedying that state of things. It was suggested that the ordinary product of the world, and with the supply of silver, and with the demand for silver, that

The Earl of

the removal of the duty upon silver plate in this country would have the effect of increasing the demand for silver, and therefore, in the result, of increasing the price of silver to whatever extent the increased demand was found to be effective. Now, my Lords, the Royal Commission have so carefully investigated the subject that I think I can not do better than read in the clear language of their Report the conclusions at which they arrived, rather than endeavour to express them in any words of my own, upon this proposal. The Royal Commission (and in this part of their Report they were unanimous) state in paragraph 173 as follows:—

“Complaints are made that the use of silver for industrial purposes is much restricted owing to the duty of 1s. 6d. per ounce which is levied on silver plate manufactured in this country or imported from abroad. Not only does the duty (which now amounts to upwards of 40 per cent on the value of the raw material) restrict the demand for manufactured silver, but owing to the hall-marked regulations only silver of the authorised standard can be introduced into this country for purposes of trade, the importation of lower grades being prohibited except for private use; the rupee standard in India is slightly below the standard required by the hall-mark regulations in this country, its millesimal fineness being 916 as against 925.”

Then the Report proceeds:—

“The repeal of the duty has been repeatedly urged by the Government of India in the interests of those engaged in the industry in that country; and the amount of revenue which is now raised by it (between £50,000 and £60,000 per annum) is so small that it could be surrendered without creating any serious disturbance of the financial equilibrium. The main difficulty which is understood to stand in the way of the repeal of the duty is the question of the drawback to be granted on the plate now in the manufacturers' hands which has already paid the duty; but the concession of the drawback might be limited to a moderate period—say three years, and this difficulty ought not to be an insuperable obstacle in the way of a desirable reform.”

Now, my Lords, the Report of the Royal Commission is divided into two parts, and in the first part, the Report of the majority, there was a distinct recommendation of this proposal as a step in the right direction.

The minority, in their part of the Report, entirely concurred with the majority in recommending this proposal so far as it

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pressly stated his opinion as to the desirability of this being done, although he said he would go much farther if possible. My Lords, I should now like to make a few remarks upon the duty itself, and next upon hall-marking, those being the two particular features of the proposal. As regards the duty, this was not the first time it had received attention from such a body, for a Committee of the House of Commons, sat upon the subject of hall-marking in 1878-79, and they were unanimous in recommending the abolition of the duty. That Committee, in their Report, in May, 1879, used these words:—

“The imposition of a duty bearing so great a proportion to the intrinsic value of the raw material has a tendency to diminish the use of silver as an article of manufacture.”

Mr. Gladstone, two years afterwards, influenced, I have no doubt, by the Report of that Committee, seeing the importance of the subject, in his Budget speech held out expectations that he would be able to abolish this duty; and the reasons he gave were, first, the dangers in regard to such an Exciise Duty; and, secondly, that India, there was every reason to believe, would largely manufacture silver articles were it not for its operation. No words, my Lords, could be stronger than those words, though unfortunately Mr. Gladstone, like other Chancellors of the Exchequer, finding that the consideration of the matter involved the question of drawback, was prevented from carrying his wishes into effect. Now, as regards the effect on the demand for silver which would probably be produced by the abolition of this duty, I venture to think that the Royal Commission have not been sanguine enough. I do not think they have attached quite sufficient importance to the increased demand for silver which may be produced by the abolition of the duty. There is probably, my Lords, no higher authority upon such a subject as this than Mr. Giffen, of the Board of Trade, who was called before the Committee of the House of Commons in 1879. In his evidence he expressed the opinion which I think is entertained by every one with regard to the trade in manufactured articles subject to Customs Duties. He said if there were an increased consumption of even 100,000 ounces per annum, it would

The End

I must now say a
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impossible for

human ingenuity to devise any system so restrictive of trade as this duty of 40 per cent combined with the regulations for hall-marking silver in this country. There is only a difference of nine in the 1,000 in the purity of the Indian rupee as compared with the English standard. In India the millesimal fineness is 916; that means that there is .84 of alloy in the rupee, the English standard being 925, so that in 1,000 ounces there are 75 ounces of alloy in standard English silver. Yet, notwithstanding there is only a difference of nine in the 1,000 in the purity of the Indian rupee as compared with the English standard, your Lordships will hardly believe that, according to our law at the present time, supposing that a silver spoon was imported from India into England, and that the 1s. 6d. per ounce duty was paid upon it, it would not, if taken to Goldsmiths' Hall for assay, be allowed to be assayed, and it would be broken. In point of fact, the importation for sale in this country of silver articles manufactured in India is actually prohibited. Consequently we are in the position, as governors of India, that we are setting up in that country a standard of value which we do not recognise in this country as fit to be manufactured into silver articles for our own use. Perhaps it might be said that Indian manufacturers could easily get silver of the proper standard; but, in point of fact, anyone who knows the customs of the country would know that is not so. It is the custom in India, when they want to manufacture silver articles, to take a certain number of rupees to the manufacturer to be made up into cups or other articles. He gives back the silver in the manufactured article, receiving something beyond for the value of his work. Your Lordships will not be surprised to learn that this subject has been brought in the most forcible manner from time to time before Her Majesty's Government at home; and your Lordships will not be surprised to learn that a distinguished statesman who has filled the office of Secretary of State for India has supported the Indian Government in pressing on the Home Government and on the Chancellor of the Exchequer the iniquity of such a law as that. My noble Friend (Lord Kimberley) was very keen in this matter, and used language

stronger than any that I am now using. At that time not only was this silver not allowed to be sold in the United Kingdom, but it was actually broken into pieces, and in that state sent back to India. Lord Kimberley will remember that, and I am sure he will confirm what I have said. He recommended for consideration certain proposals which were not adopted, and he said at last it appeared to him that the then (which is the present) state of things was wholly indefensible, and, indeed, a discredit to the country. On the last occasion when a remonstrance was forwarded by the Government of India, the present Secretary of State supported the opinion of the Government of India, and directed his Under Secretary to write to the Treasury that he entirely concurred in the arguments used by the Government of India upon the subject. Now, my Lords, I do not think I have entirely exhausted the absurdity of this system. Let us suppose that a fine piece of plate manufactured in India, and there are many fine pieces of plate manufactured there, is imported to England. I will assume in this case that the manufacturer has taken care to bring the purity of the silver quite up to the English standard. The importer has to take it to Goldsmiths' Hall to be hall-marked, and there it is so scraped in every part that the poor unfortunate piece of plate when returned to the importer is in a condition which renders it perfectly worthless for the purpose of sale. Every conceivable portion of the piece is scraped; they scrape the handles, the sides, the bottom—if there is a cover to it, that is scraped, and if there are ornaments upon it, they are scraped. That, my Lords, is the present condition of the law with regard to silver articles imported from India into this country. The law, moreover, is bad for another reason. It is hardly to be believed in these Free Trade times that we should impose a protective duty in favour of the silver manufactures of our own country and against the silver manufactures of India. But that is the fact. It is hard to believe in these times that we should have any protection at all, but it is still harder to believe that the protection which we have is against the interests of our own Indian Empire in regard to articles manufactured of silver which we

are bound in every way we can to raise the value of. I will explain to your Lordships how that happens. The duty which has to be paid by the English manufacturer when he sends plate to be assayed at Goldsmiths' Hall is 1s. 6d. an ounce. The duty which the importer pays is also 1s. 6d. an ounce. But the English manufacturer, in order to prevent his piece of plate being scraped in the way I have explained, sends it in an unfinished state to Goldsmiths' Hall. In consideration of its being unfinished, and presumably a little more in weight than the finished piece would be, he is allowed a rebate of 2d. per ounce, so that he actually pays 1s. 2d., whereas the importer has to pay 1s. 6d. It is admitted in respect of certain kinds of plate that 2d. rebate is a good deal more than it should be, and that in reality 1d. would be enough. Consequently, there is a protective duty of 2d. per ounce in favour of the English manufacturer and against the Indian importer. I think, my Lords, that is clear. Your Lordships cannot have more valuable evidence than that of Sir Thomas Farrer, Secretary of the Board of Trade, who admitted, in his evidence before the Committee of the House of Commons, that the rebate acts as a protective duty against imported silver goods. Another high authority, which cannot be disputed, is to be found in the Annual Report of the Commissioners of Indian Revenue. That Report for 1884 says that a one-sixth rebate is excessive, and therefore operates in the way I have described. So much, my Lords, for the effect of these hall-marking regulations. As I said before, I do not think it would be possible for human ingenuity to devise a system of imposing an enormous *ad valorem* duty, coupled with the method of marking this unfortunate imported plate, which would be more entirely prohibitive. Nor is this all. The effect upon our home-trade silver manufactures has been exceedingly injurious. We are not very proud of our English artistic fame. One of my hon. Friends, who was examined before one of these Committees, and who had the good fortune to win prizes at agricultural shows, said the cups were of such a description that he would rather have had a plain lump of silver. My Lords, everybody knows that if a good piece of silver plate is wanted, one has to go

back to the reign of Queen Anne. We do not get it in the time of Queen Victoria. Our artistic development in the manufacture of silver articles is by no means equal to our advance in other branches of manufacturing industry. And the reason is obvious—that these restrictions, like all restrictions, operate against the real interests of trade. There has been a great development of silver work in the United States, and a firm called Tiffany has produced admirable articles, and has in particular introduced beautiful silver bowls and other ornaments in silver combined with copper, and wrought in the most artistic manner. I have been told that one of the most beautiful things in South Kensington is a teapot from Japan. It will hardly be believed that if these articles were sent to Goldsmiths' Hall they would probably be smashed up, because nothing but pure silver is allowed to be used. As copper is introduced into their manufacture, these beautiful articles would not be assayed. Well, my Lords, that being so, our English trade has nothing to lose by freedom as respects these articles. I will give your Lordships another illustration as regards the effect upon our silver trade. If, for example, an unfortunate silversmith had an old-fashioned teapot which he could not sell, and which therefore had to be melted, he must pay the duty over again, and can get no drawback. That is one restriction on the trade. Another restriction on the English manufacturer is that the present system of hall-marking is such as to prevent any export trade in silver. It is ridiculous to limit the percentage of alloy in our silver so that the percentage is different from that which is prevalent in other countries, and our silversmiths find it impossible to manufacture silver of the requisite purity in competition with the silver of other countries where the percentage is different. The consequence is that the export trade of this country is a mere trifle. It only averaged in the years 1887-9 about 100,000 ounces, representing about £50,000. Absolutely none of our silver goes to the Continent, and only a certain quantity is sent to our colonies and places where there is a traditional regard and demand for old English plate. Besides that, it is admitted by the authorities of Goldsmiths' Hall that

the exemptions from the duty are so capricious and so doubtful as to occasion great hardship. The fact is, that absolutely there are at present 39 Acts of Parliament in connection with these duties, so that it can readily be imagined how complicated the law is, and that the complication of the whole system is an additional evil to those which I have already alluded to. There is one curious point to which I will refer. Small articles of jewelry are exempted, and wedding rings are the only articles which have to pay the duty. Every man who marries a wife with a gold ring pays a 12s. duty upon it, so that actually the Government have put a tax of 12s. upon every man who chooses when he marries to use a gold wedding ring. The effect of that is, according to the evidence taken before the Royal Commission, that among the poor the same wedding ring is handed from one couple to another, and used for three or four marriages. Then, Her Royal Highness the Princess of Wales has introduced the fashion of wearing a broad single gold ring, which, though not a wedding ring, is somewhat like one, but three or four times its weight. A clever person in connection with the Assay Office, at Birmingham, found out that these rings ought to be stamped because they were in the nature of a wedding ring. And a learned Judge laid down in the case of an unfortunate dealer, who had innocently made a number of rings of this character, that the law was perfectly clear, and that these rings ought to be stamped. The unfortunate tradesman, who had quite innocently manufactured these rings, which were by no means wedding rings, was ordered to pay a considerable fine and the costs. I merely give that as an instance of the position of the law and the difficulty which exists in these matters. Now, my Lords, I have myself endeavoured in vain to ascertain what is the precise law with respect to the importation of silver work. An alteration was made by the Inland Revenue Act of 1874 which apparently allows certain kinds of Indian plate to be imported without being assayed; whether it is sold without being assayed I do not know; but I gather from my noble and learned Friend's statement of the law in his Report that they are sold at the present time. At any rate,

that alteration of the law does not affect the merits of the case, because it only applies to a small number of articles. I have already stated that all the authorities in India, and successive Governors General, have urged upon the Home Government the repeal of this duty in justice to India, and Secretaries of State have adopted the same view. I would not have it supposed that I am saying for a single moment the English Government intend to act unfairly to India, and I trust that when the question is carefully investigated by English statesmen it will be satisfactorily settled; and I appeal with confidence to the Prime Minister in this matter. If it were settled the manufacturers of India would receive that encouragement which is so necessary for providing another source of wealth than mere reliance upon the land. The repeal of these duties must have an appreciable effect upon the price of silver. Something can be done, and consideration should be given to the question. It is notorious that the fall in the price of silver is very embarrassing to the Government; and a measure which undoubtedly, whatever effect it may otherwise have, must have a favourable effect on the price of silver, should I think be adopted without further delay. It is now about 40 years since the question was first started, and I, therefore, earnestly hope that another year will not pass before this great anomaly is removed and justice done to India. I cannot believe for a moment that this question of drawback to which I have referred can interfere greatly with the revenue. Taking it that such articles may take two or three years to manufacture, £60,000 a year would be quite sufficient to assume; therefore, for three years it would only amount to £180,000, and, in all probability the total sacrifice to the British taxpayer would not exceed one year's revenue, £60,000. As regards the Papers I ask for, I will, of course, submit to the discretion of the Government in the matter.

Moved,

"That an humble Address be presented to Her Majesty for any correspondence between the India Office, the Government of India, and the Treasury, on the Plate Duties since November, 1888."—(*The Earl of Northbrook.*)

THE EARL OF KIMBERLEY: My Lords, I think my noble Friend in the

very interesting speech which he has delivered has almost exhausted the arguments on this matter, and I should not intervene in the Debate if it were not that I have taken a great interest in the question ever since I had the honour of being Secretary for India. Therefore, I do not like to pass the matter by without expressing my agreement with his views. When I was at the India Office a letter was written upon it which expressed not merely my individual opinion but also the opinion of every member of the Council of India. In point of fact there has been no great difference of opinion on this subject as regards all who, either in India or in England, have been connected with the Government of India or have paid attention to the subject. My noble Friend has described the barbarous system which prevails in this country—a system which one would hardly believe could have existed. It has every possible vice which can be conceived. It hinders the importation of silver from India, where the silver manufacture is in consequence by no means an extensive one, as my noble Friend has pointed out. It hinders the home production as well as that of India in articles of silver plate, and brings in a mere paltry sum to the revenue. I do not know how long the imposition of this duty has subsisted, but I believe it arose in the time of the great war. I should imagine it was one of the inventions of Pitt when he was in great difficulties for money at that period. At all events, it would be not far from coincident with the decay of the silver industry in this country. My noble Friend has spoken of the time of Queen Anne, and most of us know that the old silver manufactured in this country is possessed of some artistic merit until we come to about the year 1780. Indeed I believe the decadence of art in respect of silver work in this country dates from about 1780, as the work of the period of George I. and George II. and throughout the early part of George's III.'s reign was, as a rule, extremely good. An expert can at once test the value of the plate of those reigns, and say how much it would fetch beyond the price of the silver. But if one brings silver plate manufactured in this century to auction one can hardly get more for it than the price of the silver. My noble Friend alluded to the measure passed at the time when

the noble Marquess opposite was at the head of the India Office—I mean the repeal of the duty on cotton goods imported into India. I do not agree with the view held by many persons that that was an injury to India. I believe the measure was right, not only in the interests of England but of India itself. It is worth observing that the apprehensions felt at the repeal of the duties on cotton manufactures in India have been most singularly falsified. As your Lordships know, the apprehensions that the repeal of the duties would be destructive to Indian manufacturers have been absolutely falsified by the result, because there has never been a time when the manufacture of cotton goods in India has shown greater vitality. In point of fact, the manufacture of certain kinds of cotton goods in Bombay has taken such a start as to seriously compete in the China trade with the manufactures of other countries. And so I believe that nothing would be better for the silver manufacturers of this country than competition with the manufacturers of other countries. If foreign plate and plate from India were brought free into this country, I have no doubt we should see a great change in the manufacture of silver articles in this country, and that we should no longer see such miserable productions in comparison with the articles manufactured in foreign countries. I remember seeing once in Moscow a wonderful collection of silver plate, and some of the finest was in olden times manufactured in England, when we were second to no nation in that manufacture, nor should be now but for these intolerable regulations. When I was a Member of the Government and this subject was discussed we were met by financial objections. But I am bound to say that no one who has not been connected with India could be aware of the greatness of the grievance. In consequence of this grievance in India the silver manufacturers are not numerous, though silver-work is one of the industries in which they excel, and it is felt as a very great grievance indeed that for this very small amount of duty, and for the sake of financial arrangements which are thoroughly foreign to themselves, we should refuse this demand from India. Whenever

this subject has been discussed, Members of the Government who, like myself, hold that this duty ought to be removed, have always expressed that opinion very strongly. This is not a small matter. If it were a small matter it might be put off to a more convenient season, but the grievance is a real one. Anything which will stimulate the consumption of silver and tend to relieve the Indian exchanges from part of their present burden would be most desirable. My Lords, there is really a whole series of arguments at the present time for the repeal of this duty, and therefore I have some hope that your Lordships will hear from the noble Viscount opposite that next year the Chancellor of the Exchequer will do something in the matter.

***LORD STANLEY OF ALDERLEY**, in supporting the Motion, said: The production of the correspondence would do a great deal to allay the soreness which was felt in India at the exclusion of Indian silver, and should the Secretary of State not be able to lay these Papers on the Table, still very great good would be done in India by the speech of the noble Earl (Earl Northbrook). There was a point which had been omitted by the noble Earl, who moved for the correspondence, and that was an obstacle to the abrogation of the duties, or, at any rate, an obstacle to the abrogation being beneficial to India—that was the most favoured nation clause. Under that clause if the duties were abolished, Germany and any other country, having a most favoured nation clause, would be able to inundate this country with cheap silver, and they would undersell the Indian manufacture, which, being made of rupee silver, would not be very inferior to our own plate, and would not compete with the inferior manufactures that would come from the Continent. This seemed to be rather a question for the Foreign Office than for any other Department, and for negotiation with other countries for the exclusion of free imports of Indian silver manufacture from the operation of the most favoured nation clause. If Indian silver of Indian design and patterns only were admitted duty free, the English duties might remain as they were, and no difficulty would arise with foreign nations. The noble Earl (Lord Northbrook) had stated that if these

duties were removed, working men would buy silver spoons, and would be able to get assistance upon them from the pawnbrokers, which they could not get upon the imitation spoons. There were classes in far easier circumstances than working men who were unable to use silver spoons, but that was because silver spoons were a dangerous property, very tempting to burglars, who could at once melt them down. But even if this objection were removed, and police protection made complete, the pawnbrokers would not take these spoons, which were no longer hall-marked, any more than they now would the imitation spoons.

LORD HERSCHELL: My Lords, notwithstanding that this, as has been pointed out by the noble Lords who have spoken, is a matter of great importance, I should not, after the very exhaustive speeches which have been addressed to your Lordships, have intervened but for two circumstances—first, that I was Chairman of the Royal Commission on Bi-metallism to which my noble Friend has alluded, and, secondly, that having been recently in India, I am strongly alive to the feeling there on this question. Whatever differences of opinion existed among the members of the Commission, they were all strongly impressed in considering the varying relations of silver to gold with two circumstances. One was the financial difficulty which was thus created for the Government of India, and the other was the hardship which it imposes in many cases on Civil servants employed in India who are obliged to make remittances to this country. They find that their silver is not worth so much, that it will not produce relatively as much gold in this country as it did, and therefore they are not able to make as satisfactory provision for the education of their children and for other expenses which they may have as they were formerly. Certainly very drastic remedies were proposed by some to put an end to this inconvenience, which were not thought practicable by others. But we were all of opinion that there were certain changes which would be productive of advantage, and one of them was the abolition of the duty on silver plate. I agree with what my noble Friend has said that it is difficult to estimate the change which might be produced in the demand for silver, or

will make it the price of silver, by stimulating the duty on the silver, and would think that the increased demand for silver was likely to be a small one in effect must be insupportable. But I think that reflection leads one to doubt whether this is the necessary conclusion. My noble Friend has pointed out that a comparatively small increase in the local demand for a particular commodity might have an effect upon prices far exceeding that which might naturally be expected. If an effect be produced upon price by such an increase of demand, the fact that such a change has been made and that it has produced some influence upon price, may lead to the belief that silver is not destined to go down, and may have a greater influence in raising or keeping up the price than could be expected from the mere relation of the new demand to the old without reference to the sentimental or imaginative considerations which might strongly affect the price of the commodity. Therefore though there might be little or nothing apparently to produce the effect desired, we might find that it would in reality do more than was expected. At all events it is a change in the right direction, and the influence, if it have any influence, will be such as we desire to see. Now, my Lords, those are the reasons and considerations in relation to this matter, which I think give the Government of India a right to call upon this country at the earliest possible moment to make this change. And, again, I am strongly impressed with the view which both my noble Friends have touched upon, that the fact that we have insisted upon the Indian Government adopting a fiscal policy which we believed at the time to be not only in the interests of India but in the interests of our own manufacturers, constitutes a very strong moral claim on the part of our Indian fellow-subjects to say that no fiscal arrangements ought to exist in this country which would injuriously affect Indian manufactures. There is a strong feeling I know on that point that there ought to be no fiscal arrangements in England which would interfere with the development of Indian industry. My Lords, I have urged this because I believe the moral claim of India for the abolition of this duty can not be too strongly insisted upon for the

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Chancellor of the Exchequer would involve by the Chancellor of the Exchequer is naturally enough very much needed to make it. There are only two motives which ordinarily influence the member of the Government; one the desire to produce an increase of revenue, and the other to benefit a large number of the community by diminishing or abolishing a tax. These are the chief actuating motives with the members of the Exchequer, and they can be successfully appealed to in regard to any change which would not involve too much financial difficulty. But there is in this case another motive which may influence the Chancellor of the Exchequer. I trust that the moral claim on the part of our Indian fellow-subjects to have this change made will induce the Chancellor of the Exchequer to effect it at the earliest possible moment. That is the particular point which I desire to enforce upon your Lordships; that it is not a matter on which there ought to be any delay. Nobody pretends that this is a good tax. Nobody pretends that as a matter of finance it is worth thinking of for a moment. The sole difficulty has arisen from this question of drawback. But in that respect the Chancellor of the Exchequer is in a very strong position. If he abolishes this tax—and it is quite certain it is going to be abolished—he can stand in the way of any extravagant demands on the part of those who would have any claim to drawback. I trust, my Lords, another year will not pass by without this change being made. I have a special reason for urging it, because after labouring at this question of the precious metals and the depreciation of silver for some time, one naturally desires to see an outcome from it. Now, my Lords, here is a simple practical outcome which everybody admits to be desirable, reasonable, and beneficial. As I have said, if the tax is abolished, the Chancellor of the Exchequer would be able to dictate his own terms and prevent any extravagant demands being made. There is a strong moral claim for enforcing the change, and I think, under the circumstances, I have some personal claim to urge on Her Majesty's Government that there should be no further delay in the matter.

*THE SECRETARY OF STATE FOR INDIA (Viscount Cross): My Lords, my first duty is to thank the noble Earl who has brought forward this Motion for the manner in which he has urged it. I agree almost entirely with what has fallen from the noble Earl, and I thank him most cordially for having furnished me with some arguments which I shall not fail to use when the time comes. During the short time I have had the honour of sitting in this House I think the practice has been that when once an argument has been put forward powerfully and fully as on this Motion, no noble Lord seeks to repeat it. I am afraid I cannot say the same with regard to another place. The arguments which have been used before your Lordships to-day were put forward with so much force and eloquence that I really do not know how I can say anything further. All I can say is, I most entirely agree with every word that has fallen from my noble Friend. Like former Secretaries of State for India, I have for my own part done my best to induce the Chancellor of the Exchequer to take off these duties which are, I think, practically bringing in a very small sum of money. I believe that the comparatively small sum of money which these duties produce is as nothing to the benefits which would be conferred by their removal. I am convinced that the abolition of the duties would benefit enormously the people of India, besides being of service to the manufacturers of this country in the way the noble Lord has stated. Moreover, these duties cause a very strong feeling of grievance in the minds of the Indian people, which ought to be removed, irrespective of the benefits which would accrue from their repeal. I can speak of the feeling which exists so largely in India. The people there think we are inflicting the greatest possible hardship upon them by maintaining this duty. I entirely sympathise with them in that feeling. I think it would be right to take off that duty. I am one of those who have done all we possibly could to get it taken off. I think we do owe something to the people of India in this matter, especially after having abolished the Cotton Duties, and above all to my mind it is necessary that we should not allow a grievance of that kind to be operating upon the people of India. With regard to hall-marking, I

have heard it described as iniquitous and barbarous, and its bad effect has been so clearly shown that there can be little doubt entertained on the subject by anyone who has studied the question for a moment. I believe that there is no other country in the world where such a system exists. How far taking off the duty on silver plate would affect the great question of bi-metallism I do not know, but it would be a step in the right direction, and would go far to satisfy the feelings of the people of India by showing them that we are in earnest in the matter and desirous of doing all we can in their interest. My noble Friend Lord Stanley of Alderley said he thought there might be some difficulty because of our treaties with foreign nations, and on account of the most favoured nation clause. As far as I understand that would really only apply to Germany—it would not affect any other country. If that is so it would remain for the people of India to say whether they would like this duty taken off or not. This being a purely fiscal question I cannot, of course, answer for the Chancellor of the Exchequer in the matter, but I am quite sure my right hon. Friend is perfectly willing to remove the duty when he finds himself able to do so. A question on the subject was asked Mr. Goschen by Sir Richard Temple in "another place" some time ago, and the answer then given by Mr. Goschen was as follows:—

"In reply to my hon. Friend behind me (Sir R. Temple), I may say that two days ago, if he had raised this question, I should have told him that I was going to deal with the matter in my Budget, and that I was going to make a proposal which I thought was favourable to the introduction of Indian silver into this country. At the last moment, however, a difficulty arose which prevented me from doing so. If I should see my way to deal with the subject, I will certainly do so."

This answer showed that he contemplated abolishing the duties, and that he certainly intended to have mentioned them in his Budget, but had up to that time found himself prevented from mentioning them. Those words were very strong, and they at all events give us hope. I for one will continue to press the Chancellor of the Exchequer upon the matter, and will give him no peace until he can find his way out of the difficulty, and take off the duty. The noble Earl has asked for

certain Papers. Most of them, the correspondence between the Government of India, the India Office, and the Treasury, have already been laid before the House of Commons up to the end of 1885; but there have been certain communications between the Government of India, myself, and the Treasury, which have passed since that time which I shall be happy to lay on the Table of your Lordships' House. Before I sit down there is one thing I would allude to. The noble Earl concluded his speech by saying he hoped another year would not pass without this duty being taken off. Of course, we cannot say what the money at the disposal of the Chancellor of the Exchequer next year may be, but I hope it will be ample to give us this small satisfaction that we ask. I may say that, when I asked a question on the same subject upon another occasion, the answer was—"I trust that another year may not pass without this much-needed relief being afforded to the Indian industries." My Lords, I do not know that I can say more on the present occasion.

On Question, agreed to.

AN ANNUAL CENSUS.

*EARL FORTESCUE: My Lords, in rising to call the attention of the House to the desirableness of having a cheap and simple annual census of the population in addition to the regular costly and elaborate decennial census, I will only ask your Lordships' kind indulgence for a very few minutes. The Board of Trade, as is well known, collects, digests, and publishes elaborate and costly statistics for the information and guidance of the commercial and manufacturing interests, and the Foreign Office and Colonial Office also provide statistics for the same purpose. Even by the Agricultural Department of the Council Office Returns are furnished for the benefit of the latterly much-suffering agricultural interest of the number of acres under grass and under different crops in the country, with both Returns and Estimates of the produce. Besides those Returns for the information and guidance of the farmers, an annual census is given of the amount of live stock on the farm, £15,000 a year is voted for those Agricultural Estimates; and the

of the printing not charged amount each to about £3,000 more; so that the annual cost of those useful Returns is only about £21,000 a year. As the important statistics furnished by the Board of Trade and the Foreign and Colonial Offices, though costly, are very well worth the money, so the information thus afforded is very valuable to the farmers. For instance, these Returns show the number of horses employed by the farmers in agriculture to have been greater in 1887 than in 1888 by nearly 6,000, of cows by over 20,000; the total excess of cattle being over 270,000, and sheep 660,000. Besides the cost which I have mentioned a certain share not easily determined, but appreciable in the general expenses of the office, ought to be attributed to the preparation of these statistics. The Statistical Department gets its information in England through the agency of the Inland Revenue Officers, and in Ireland through the constabulary. Now, my Lords, I venture to think that if a yearly census of farming stock in the country is so important, it is very important also to obtain similar statistics with regard to the population of the country. I would remind your Lordships that since the last census legislative measures of great importance have been passed, the Reform Act of 1885, the English Local Government Act of last year, and the Scotch Local Government Bill of this year in the discussions on which trustworthy statistics as to the numbers of the resident population, and the floating population would have been of great advantage. There have also been discussions, not only in this House but out of it, relating to educational and religious subjects, as to which it would have been of the greatest advantage if that information could have been supplied. Sir Edwin Chadwick, in a paper which he read at the Health Congress at Hastings this year, referred to the very large changes in the population of the Metropolis both in bad and prosperous years, and expressed an opinion strongly in favour of an annual census. Mr. Kelly, in preparing his great Directory, finds that the changes are fully 20 per cent a year in the London, and the same in the suburban householders. But the change of place among the are compelled appear to be

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greater than in any other class, and to amount to nearly as much as one-third. Those constant changes, which are so perplexing to school managers, show strongly the necessity for an annual census. But, and in this aspect it has a particular interest for me, the value of a more frequent census than a decennial one is specially great for sanitary purposes. As the death rate is reckoned at so many per thousand of the population, it is highly desirable that the inhabitants of the different towns should have frequent and accurate statements as to population, seeing that the rate of mortality is the best test of the sanitary condition of a district. With a decennial census we cannot, a few years after it has been taken, have reliable information upon which to proceed. We are accustomed to see estimates of the proportion of deaths per thousand of the population in our great towns, and those are avowedly based on estimates founded on the difference between the population at previous censuses, the ultimate census, and the penultimate census; and it is therefore of very great importance that we should have more frequent statistics, in order to ascertain the actual mortality among the town populations more accurately than is possible when we only get the statistics once in 10 years. And, my Lords, it should be remembered that in the rural districts the tables of mortality are equally liable to be wrong in another direction; as we know there has been a considerable decrease in the rural population, although the aggregate population of the kingdom has increased. So that during a period of 10 years estimates formed on the information last obtained as compared with the two previous censuses must be utterly and entirely wrong and seriously misleading. A decrease in population may have begun owing to the cessation of a particular manufacture just at the time the census was taken, and for 10 years a population would be assumed which would differ more widely every year from the true state of the case. And, of course, the same observation applies to cases where there may be an increase of population from the contrary cause. The aggregate cost of the last decennial census was, I have ascertained by inquiry, £150,000; the cash payments

amounting to £122,000, and the printing done for the Government and cost of postage not separately charged making up the difference. Sir Edwin Chadwick finds that that comes to about £4 18s. per 1,000 of the population, and that occurs but once in 10 years. He is strongly of opinion that by utilising the Registrars of districts and allowing them to employ the postmen or School Board officers it might be done at something like a cost of £1 per 1,000 for obtaining details as full as those which are now given in the decennial census. Another suggestion worthy of consideration is that all householders should, under a penalty, add the names of all persons upon their premises on a certain night to the return which they have now to make under the last Registration Act of those residing there who are qualified to be put upon the register of voters. I do not venture to give an opinion as to what would be the best mode of obtaining an annual census. My own opinion is that a record of the numbers without the details taken in the decennial census would cost very little, and would be of very great value to those engaged in legislation or in the administration of the country. I do not ask your Lordships to pass any Resolution on the subject, nor do I ask the Government for any positive answer upon it. All I ask of your Lordships and the Government is, that they should give the matter their serious consideration.

***LORD BALFOUR:** My Lords, the noble Earl's question refers to the desirability of having a cheap and simple annual census, and in his remarks, for the purpose of showing more particularly what he wants, he draws an analogy from the Statistical Returns giving an enumeration of farming stock throughout the country. I am afraid, my Lords, I must demur to the applicability of any such analogy. It is obvious that even the cheapest and simplest census which is to be of any use at all must include the sexes, ages, and numbers in family. That, of course, goes far beyond the mere enumeration of farming stock to which the noble Earl alludes. The objection to an annual census is the enormous cost. The cost of the decennial census may be put at £140,000. I do not understand how it is possible to make out that anything which would be of the slightest

practical use would be put in any thing approaching the sum suggested by the noble Earl. The chief work in making the census is not for the printing, but for the payment of the persons who distribute and collect the returns, and afterwards for copying them out and then for the distribution and collection of the schedules and the copying after they were returned would have to be inserted in any useful annual returns, except perhaps a slight saving in copying if some of the columns of the schedule were omitted, in which case there would be less tabulating; but I think it would be very fallacious to entertain a hope that the cost of distributing and collecting the schedules could be materially lessened. The Local Government Board have received a great many complaints of the inadequate remuneration for the labour performed, and I think the hope of getting postmen or others to do the work gratuitously is delusive. A census, unless it is very complete and accurate, is worse than useless, and if it is to be complete and accurate, it is idle to hope that it can be done at less cost. I am far from under rating the importance to many persons and Local Authorities of having more frequent information than they possess at present. The noble Earl (the Earl of Kimberley) will bear me out when I say that the evidence before the Poor Law Committee last year showed that the want of information on the part of Local Authorities in quickly-increasing districts very much added to the difficulties of administration, and of dealing with the problems which present themselves. They do not really know what is the extent of the removal of population in their districts, and more definite information would be of the greatest use to them. Any hope of obtaining an annual census must, I think, be regarded as impracticable on account of the great cost it would involve; but frequent representations in favour of a quinquennial census have been made to the President of the Local Government Board from so many quarters that he has resolved to appoint a Departmental Committee to consider the desirability of carrying out that proposal. More than that the subject is engaging attention I am not at present prepared to say. As it is of a technical character, probably a Departmental Committee will be the most satisfactory body in the first in-

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stance to deal with and consider it. I hope that the noble Earl will be content with that assurance that the matter is engaging the attention of the Local Government Board.

*EARL FORTESCUE: I think still the cost need not be nearly as great as the noble Lord supposes; and that if we would remedy the disadvantage arising from the avowedly defective statistics which alone the Registry Office is able to furnish in the intervals between the decennial censuses it would be a very great benefit. I am glad the subject is engaging the attention of the Government. A quinquennial, though very inferior to an annual census would be a great improvement.

INTERPRETATION BILL (No. 92.)

House in Committee (on Re-commitment, according to order): Bill reported without Amendment, and to be read 3^d on Monday next.

TELEGRAPHS (ISLE OF MAN) BILL (No. 113.)

Read 3^d (according to order), and passed.

SMALL DEBTS (SCOTLAND) BILL (No. 177.)

Read 3^d (according to order), with the Amendments, and passed, and sent to the Commons.

JUVENILE OFFENDERS BILL (No. 170.)

Bill (by leave of the House) withdrawn.

COMMITTEE OF SELECTION FOR STANDING COMMITTEES.

Report from, That the Committee have added the Lord Clifford of Chudleigh and the Lord Ker (*M. Lothian*) to the Standing Committee for Bills relating to Law, &c. for the consideration of the Cruelty to Children Prevention Bill. Read, and ordered to lie on the Table.

House adjourned at half past Six o'clock, to Monday next, a quarter before Eleven o'clock.

HOUSE OF COMMONS,

Friday, 26th July, 1889.

Message to attend the Lords Commissioners.

The House went, and, being returned,

Mr. Speaker reported the Royal Assent to a number of Acts. (See page 1385.)

QUESTIONS.

IRELAND—AFFRAY AT COOKSTOWN.

MR. BLANE (Armagh, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the fact that, on the 28th June, Thomas Hagan, of Drumgrass, passing through "Old Town," Cookstown, County Tyrone, was waylaid by Orangemen and badly beaten; that John Doris and Patrick M'Ginnity were stoned passing through this quarter on 1st and 12th July; that, on the 12th, James Doris was also attacked and badly injured; whether, after the annoyance given the Catholic congregation at church on the evening of the 28th June, two inhabitants of Cookstown swore an information before the Magistrates that there was likely to be a breach of the peace if Orange arches were put up by Orangemen in the Catholic quarter of Cookstown; and, if so, what action was taken in consequence of this sworn information; and, if the Government will place a police barrack in "Old Town," for the protection of passengers in that quarter, as requested in several Memorials to Government by inhabitants of Cookstown?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester E.): From the Report received from the Constabulary Authorities, it would appear that the circumstances were not of the serious nature represented in the question. The information referred to in the second paragraph was sworn. The Resident Magistrate and District Inspector of Constabulary considered the matter, and decided there was no ground to anticipate a breach of the peace. The district where the arch

was erected is not an exclusively Roman Catholic quarter. As a matter of fact, there was no disturbance in connection with the erection of the arch. Two Memorials have recently been received asking that a barrack should be established at Old Town. The proposal is under consideration.

FIRING REVOLVERS ON THE HIGH ROAD.

MR. ROWNTREE (Scarborough): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if his attention has been called to the following circumstances—namely, that on Sunday, the 10th day of March last, as some peasant children were playing near to one of the roads entering into Woodford by Galway, a man named John Whiteslackened the speed of his car in passing, stood up in his car, and fired off his revolver in the direction of the children; that one of them, Ellen Goonan, was ill with the fright; that her mother, Mary Goonan, swore an information against White before Mr. Burke, a local Magistrate, and was bound over in a penalty of £20 to attend at the next Petty Sessions to give evidence of the offence; that on hearing nothing further she went to the District Inspector of Police and was told to call again, as the matter was still under consideration, and that some days afterwards she was told by the police that nothing further would be done in the matter; whether firing a revolver on the high road is a misdemeanour; was White ever tried; and, with whom the responsibility for the stay of the proceedings against him rests?

MR. A. J. BALFOUR: The Constabulary Authorities report that immediately on complaint being made, the matter was investigated. They found that although the shot had been improperly fired on the public road, it was at a distance of some 90 yards from the Goonans' cottage, and that the shot was not fired at the children nor in any way intended to frighten them. The woman did swear an information. The mere discharge of firearms upon the public road does not appear to be in itself a misdemeanour, but it is punishable by summary jurisdiction. No prosecution was instituted by the police, as the Divisional Commissioner was satisfied that White had no intention of harming anyone, and that the charge made

against him was not *bona fide*, but through illwill in consequence of his having paid his test.

MR. ROWNTREE: Was it a *bona fide* charge of not, and if not, why was the woman sworn and bound over to appear and give evidence under a penalty of £10?

MR. A. J. BALFOUR: I should like to have notice of that question. I have given all the information with which I have been supplied.

MR. ROWNTREE: May I ask if the right hon. Gentleman really read my question, because this is really involved in it?

MR. A. J. BALFOUR: I am sorry that I have no more information to give.

MR. SEXTON (Belfast W.): May I ask the Home Secretary whether in England the police would take notice of a man who lived a good deal on the high road?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (MR. MACDONALD, Birmingham B.): The police would undoubtedly examine that direction in such a case.

NONCONFORMIST BURIALS

MR. HARRIS STEWART (London, South Spalding): I beg to ask the Secretary of State for the Home Department what steps are being taken with regard to Nonconformist burials in the churchyard of St. Andrew's Church, which he has now received information that on the burial of Thomas Walker in April last by a Church of England minister, the vicar refused to allow the deceased to be buried by the side of his wife, and required that the interment should take place in a part of the churchyard in which suicides, babies cast upon the shore, and newborn children are buried; that on the death of William Clarke in April last, on the widow requesting a wish that he should be buried by the Church of England minister, the vicar, besides refusing to permit the burial in the family grave which his relatives desired, has been previously purchased, told the widow that if he were buried without the rites of the Established Church, he would be "buried like a suicide" and "buried like a dog," and that the bell would not be rung at his funeral, and that he will cause an inquiry to be made into the facts of these and similar cases with a view to preventing

intention of the same in the Act of 1881 being frustrated?

MR. MATTHEWS: I am informed by the vicar that, no application having been made to him with regard to the position of the grave of Thomas Walker, he gave, the evening before the funeral, instructions for a grave to be prepared on the north side, in which Walker's wife had been buried with the rites of the Church. On the morning of the funeral, a sister-in-law called and asked why the grave was not to be next to her sister's grave. The vicar told her that if timely permission had been asked it would have been readily granted. On this same north side there have been 25 burials with the Church Service since 1880, seven of these have been of babies cast upon the shores which have been interred with the full rites of the Church. During the same period five persons who have committed suicide and still-born children have been buried, not exclusively on the north side, but in various parts of the ground, in proximity to the graves of relatives. With reference to the burial of William Clarke, the vicar denies that he refused to allow him to be buried in a family grave—there is no family grave belonging to the Clarks, who are interred separately in common graves. The vicar denies having suggested the words quoted, but he did remind the wife of the deceased that she and others had commented in such terms on Nonconformist burials. The vicar says that he held out no threat about the tolling of the bell. He says it is well-known that the bell is never tolled at a Nonconformist funeral. I am unable to gather from the facts as they have been presented to me that there has been any intention on the part of the vicar to evade the law.

THE TOWN OF ST. MOLLIS.

MR. CAMERON (Dunfermline, College): I beg to ask the Lord Advocate whether it is true that a carved tombstone, bearing the effigy and insignia of a bishop, and believed to mark the grave of St. Mollis, one of the early monarchs of Scotland, has been removed from the churchyard and taken into the town.

tombstone was removed from its ancient site; and, if it prove to have been removed without legal authority, whether he will take steps to have it restored to its former position, and to punish the authors?

***THE LORD ADVOCATE** (Mr. J. P. B. ROBERTSON, Bute): The tombstone in question has been lifted and built into the outside wall of the new church. This has been done solely for the preservation of this interesting memorial. In its recumbent position it had become greatly worn and defaced; and it would, if left where it was, have soon been destroyed. A stone has been placed on the original site, which is to bear an inscription recording the memorial. The burying ground is not a parochial churchyard; and in this very considerable act of preservation the Duke of Hamilton has infringed no legal right.

IRELAND—THE LAND ACT, 1887.

MR. BLANE: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that, at Derrycorr Lurgan, County Armagh, a meeting of cottiers and labourers was recently held to set forth their grievances, and to complain that the Land Act of 1887 made no provision to enable them to purchase their small holdings when the immediate lessors purchased under the Ashbourne Act; and, if the Government would take the subject into their consideration, with a view of adjusting the matters complained of by the cottiers and labourers of County Armagh?

MR. A. J. BALFOUR: The Government are not aware of any meeting of the kind referred to in the question. As the hon. Gentleman is aware, the money voted by the Ashbourne Act is for the purchase of tenants' holdings, and it cannot be diverted to any other object without diminishing the amount which would be thus available.

MAILS TO INDIA AND GIBRALTAR.

MR. KING (Hull, Central): I beg to ask the Postmaster General, with reference to evidence given before the Select Committee on the Revenue Departments **Estimates** with regard to the revision of arrangements with the French and Italian Post Offices for the conveyance of Her Majesty's mails to and from

Italian Post Offices for the conveyance of Her Majesty's mails to and from
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India, Australia, &c., whether he has been able to take any steps in the direction indicated; and if he can hold out any prospect of a reduction in the rates fixed in July, 1887, or of improving any of the other conditions of the arrangements then made?

***THE POSTMASTER GENERAL** (Mr. RAIKES, University of Cambridge): I am glad to inform the hon. Member that I have been able to take such steps as he refers to, and have succeeded in obtaining from the French and Italian Governments a further reduction of the transit rates payable for the special conveyance of the Eastern mails through France and Italy. It may interest the House to know that this reduction of rates, which will come into operation on the 1st of January, 1890, is estimated to represent in the aggregate a saving of between five and six thousand pounds a year, over and above the very large saving secured in July, 1887. Further, the portorage at Calais connected with these mails, hitherto separately paid for by this country at the rate of about £1,000 a year, will in future be provided by France free of special charge; and, among other advantages recently gained, I may mention an acceleration by two hours of the special train service from Modane to Brindisi—an acceleration already in force—and the establishment of a special branch service from Foggia to Naples after the close of this year, with a view to accelerating the mails for Australia carried by the Orient Steam Navigation Company from Naples. The House may also be interested to learn that, under the arrangements made in July, 1887, and June, 1889, the Post Office Department is placed in a position to send, if it requires to do so, all classes of correspondence to the East by all-sea routes at lower rates of postage than by the overland route. I have much pleasure in acknowledging the courteous attention which the French and Italian Postal Authorities gave to my representations, and the spirit of conciliation in which they eventually complied with my application for the foregoing concessions.

MR. HENNIKER HEATON (Canterbury): May I ask the right hon. Gentleman if the changes will enable him to reduce the carriage of mails from India from 5d. to 2d.?

***MR. RAIKES:** No, Sir.

Lieutenant of Ireland whether complaints have reached him that, on Saturday night the 20th instant, a Roman Catholic band, accompanied by a sympathising crowd, proceeded from Lurgan to Drumgor and broke in the doors and windows of the Protestant Church there, and that they also took away books out of the Church, and shouted for anyone to "come and take away those Orange books (Bibles and Prayer Books)"; and whether the police have made any arrests in connection with this outrage?

MR. A. J. BALFOUR: The Constabulary Authorities have no knowledge of the alleged outrage.

THE CONSTABULARY IN TYRONE.

MR. JOHNSTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he can state the numbers of Roman Catholic and Protestant constables respectively in the County Tyrone at present; how many of each denomination have been promoted to the rank and pay of acting sergeant since 1882; and what are the principles which guide the selection of constables for promotion?

MR. A. J. BALFOUR: The question of religious persuasion does not in any way affect promotions among the Royal Irish Constabulary. The general principles which guide County Inspectors in their promotion are—(1) efficiency in the performance of duty; (2) steadiness of conduct; (3) literary qualifications—power of writing reports; (4) physical fitness; and (5) aptitude for command. Length of service is also taken into consideration.

ELECTRIC LIGHTING PROVISIONAL ORDERS BILLS.

SIR GEORGE CAMPBELL (Kirkcaldy): I beg to ask the President of the Board of Trade if the formal consent of the Corporation of Birmingham to the Electric Lighting Provisional Order for that town has now been received; whether, in any other cases in which he has granted a Provisional Order without making a Special Report of the grounds on which he has dispensed with the consent of the Local Authority, the consent of the Local Authority has been formally and directly put on record; whether, in future, he will take care that, in the terms of the Law, no Provisional Order is granted

without the express consent of the Local Authority or a Special Report; and whether he is aware that all over the country electric companies are scattering very numerous applications to light towns without any apparent minute inquiry, and rather with the object of being first in the field for concessions; and will take care that Local Authorities are not unduly harassed or hurried in regard to applications which may not be serious, and are allowed time to look about them before they are obliged to deal with applications in the way proposed by Major Marindin?

*THE PRESIDENT OF THE BOARD OF TRADE (SIR M. HICKS BEACH, Bristol, W.): The answer to the first two paragraphs of the hon. Member's question is, Yea. I will take care that the provisions of the section to which the hon Member refers are complied with. I may, however, point out that a difficulty arises from the fact that Amendments to Orders are pressed upon me up to the very last moment of the issue of the Orders. I will, however, endeavour to arrange that in future either the formal consent of the Local Authority shall be obtained, or that a Special Report shall be made before the Second Reading of the confirming Bill. In the consideration of any future proposals which may come before me I will certainly take care that Local Authorities are not unduly harassed or hurried. It is with the very object of avoiding any such hurry that Parliament has enacted that notices should be given to Local Authorities on or before July 1 of all Provisional Orders to be applied for in respect of the ensuing Session of Parliament.

ARMY COMMISSIONS.

SIR GEORGE CAMPBELL: I beg to ask the Secretary of State for War if it is true that, owing to the expense of the regiments of Life Guards, young men who have passed for the Army in the regular way cannot be got to accept commissions in those regiments; whether it is contemplated to get over the difficulty by giving commissions to inferior candidates, who have not passed an examination enabling them to enter other regiments; whether cavalry regiments generally have been obliged to accept the lowest passed candidates, who cannot get into other regiments; whether

in those regiments promotion has been abnormally accelerated owing to young Officers being led into expenses greater than they can bear; and whether he will consider the propriety of taking steps, in concert with the Commander in Chief, to make those regiments less expensive rather than commit regiments which cost the Country so dear to inferior Officers?

*THE SECRETARY OF STATE FOR WAR (Mr. E. STANHOPE, Lincolnshire, Horncastle): There is no dearth of candidates for the Household Cavalry. It happened, however, recently that none of the nominees for these regiments qualified in the examination; and the vacancies which had occurred were then filled up by other properly qualified candidates. The qualification is the same for cavalry and infantry. It therefore becomes unnecessary to answer the two last questions.

SIR G. CAMPBELL: What is meant by qualified candidates? Is it that the candidate has passed a competitive examination, or that he has passed a qualifying examination?

MR. E. STANHOPE: The candidate must pass a competitive examination.

EGYPT.

SIR GEORGE CAMPBELL: I beg to ask the Under Secretary of State for Foreign Affairs whether Her Majesty's Government have yet considered from what source the expense of using British troops for the defence of the Egyptian frontier is to come; whether, in view of the evidence afforded by the present situation of the insufficiency of the Egyptian Army to defend Egypt, measures will be taken to increase that Army; and, whether Her Majesty's Government will take steps to ascertain if the French Government will consent to the conversion of the Egyptian Privilege Debt on the conditions that the saving will be applied towards increasing the Egyptian Army, and making Egypt self-supporting?

*THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSON, Manchester, N.E.): The question in the first paragraph has not been considered; the immediate duty is to repel the invasion; as regards the case of British troops already in Egypt the additional expense mainly consists of transport and stores. As regards the

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second, the hon. Member may rest assured that all measures will be taken that are deemed necessary for the due fulfilment of the duties in hand. The French Government have given no indication of such a disposition, as is suggested in the third.

THE NEW RIFLE.

MR. HANBURY (Preston): I beg to ask the Secretary of State for War how many magazine rifles and how many carbines of the description of those now being manufactured for the use of the Army were sent to Hythe for trial and report; whether those so sent were sent after the last modifications had been made; and whether the Hythe Report was adverse to the new rifle?

*MR. E. STANHOPE: Colonel Tongue, the Commandant of the School of Musketry at Hythe, was himself a member of the Small Arms Committee which chose the new magazine rifle. No rifles were sent for further trial at Hythe, but they were tried under service conditions at home and abroad, and the result has been a thorough approval of the new weapon. Any small defects then pointed out were remedied in the final pattern adopted. Some experimental carbines for cavalry have been sent to Hythe for trial; and some of the officers of the staff, not including the commandant, have offered adverse criticisms upon some of the details.

IRELAND—SUB-COMMISSIONERS.

MR. MAURICE HEALY (Cork): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is now prepared to say what the Government propose to do with regard to the appointment of additional Sub-Commissioners for the hearing of fair-rent applications?

MR. A. J. BALFOUR: I can at present give no definite reply to the hon. Gentleman with regard to the appointment of additional Sub-Commissioners. As, however, I am very desirous of diminishing the number of unheard cases, I propose to bring in a Bill of one clause having for its object to enable landlords and tenants, if they think fit, to have fair rent cases decided out of Court by two lay Sub-Commissioners. If this Bill meets, as I hope it will, with general approval from all sections of the House, there will be no difficulty in

passing it into law, though, of course, it will be impossible for the Government to find time for any lengthened controversy should there be any disposition to raise such upon our proposals.

THE PROPOSED NEW DOCK AT BOMBAY.

ADMIRAL FIELD (Sussex, Eastbourne): I beg to ask the Under Secretary of State for India whether he can now state what progress has been made towards the completion of the long promised first class dock at Bombay for ironclads of Her Majesty's Fleet; has the site been selected; has the estimate of cost been approved; if so, what is the amount; and has the contract for its completion been given out; have the Indian Government and the Admiralty come to an agreement as to the portion of the cost of construction to be borne by each; and, if the above questions receive answers in the negative, will he then state the cause of delay in carrying out the recommendations of successive Naval Commanders-in-Chief for the last 15 years, that a dock for first class battleships should be constructed as a matter of vital necessity, and thus avoid the risk of sending ships in a disabled condition to Malta, distant 4,000 miles, to be docked and repaired, as was done in 1882?

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): I am sorry to inform the hon. and gallant Admiral that no progress has been made with the dock referred to. A site was selected and estimates made, the cost amounting to £221,000. The Secretary of State in Council offered to contribute a moiety of this sum out of Indian revenues, but this offer has not yet been accepted by the Admiralty. In the meantime the Bombay Port Trust have offered to construct a dock which, in the opinion of the Government of India, will be sufficient to meet all Indian requirements.

ADMIRAL FIELD: Have the Treasury refused to grant the money, or does the fault lay at their door?

SIR J. GORST: I am afraid that that is a question I cannot answer. I have no information.

IRELAND—THE CASE OF DENIS HEALY.

MR. FLYNN (Cork, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the fact that at Killarney, on Saturday last, during the trial of Denis Healy, who was charged with attending a meeting of the suppressed branch of the Irish National League, Mr. Moriarty, the defendant's solicitor, was forcibly ejected from the Court House by order of Mr. Cecil Roche, Resident Magistrate; and if he can state what explanation the Magistrate can offer for giving this order?

MR. A. J. BALFOUR: I understand that it is the case that Mr. Moriarty was expelled from Court. He had been ordered by the Court to desist from interrupting the District Inspector of Constabulary, who was making an application in regard to certain evidence to be taken. He expressed repeatedly his refusal to obey the orders of the presiding Magistrate, thereby rendering, in the opinion of the Court, his expulsion necessary.

MR. FLYNN: I beg to ask the Solicitor General for Ireland if he is aware that at Tralee, on Monday last, Mr. Denis Healy, charged with attending a suppressed branch of the National League, was sentenced by Mr. Roche, Resident Magistrate, to six months' imprisonment with hard labour, and at the expiration of that sentence to find bail himself in £200 and two sureties of £100 each to keep the peace for 12 months; and if he can state what authority is vested in a Resident Magistrate which would enable him to inflict a sentence in excess of the maximum penalty under the Criminal Law and Procedure Act?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, University of Dublin): The legality of a sentence such as that referred to in the question of the hon. Member was fully discussed and affirmed in the case of "*The Queen v. Harker*," recently decided by the Exchequer Division in Ireland. The report of the Lord Chief Baron's Judgment in that case contains a full statement of the law on the subject. It has been laid on the Table of this House at the request of an hon. Member.

Mr. SEXTON: Does the Chief Secretary for Ireland approve of an Act by which a defendant's solicitor, having been forcibly removed from a Court, and the defendant deprived, in consequence, of legal assistance, the defendant should then be convicted and sentenced to six months' imprisonment, with hard labour.

Mr. A. J. BALFOUR: I must ask for notice of that question.

THE ASSAULT UPON MR. P. O'BRIEN.

Mr. FLYNN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland if he will state whether any command or order to charge with batons and rifles was given to the police at the railway station, Cork, upon the occasion on which the honourable Member for North Monaghan was assaulted, and severely injured; and, if so, who gave the order to charge?

Mr. A. J. BALFOUR: The Constabulary Authorities report that the order given was to draw batons and prepare to charge. The Head Constable, who was in command of the police party, was knocked down by the mob, whereupon the police dispersed them with their batons. There was no rifle charge.

Mr. FLYNN: Who gave the order to charge?

Mr. A. J. BALFOUR: The only order given was to draw batons and prepare to charge. That order was given by the Head Constable.

THE CONTRACTS FOR THE NEW CRUISERS.

Mr. LEA (Londonderry, S.): I beg to ask the First Lord of the Admiralty if contracts for any of the new cruisers have been placed in Belfast or Londonderry?

*Mr. FORWOOD: Two firms in Belfast were invited, but declined, to tender for the cruisers for which contracts have just been made. There is no building yard at Londonderry on the Admiralty list for this class of vessel, consequently no invitations to tender were sent to firms at that port.

Mr. SEXTON: Did any Belfast firms tender?

*Mr. FORWOOD: No, they declined to tender.

VACCINATION.

Mr. PICTON (Leicester): I beg to ask the Vice President of the Committee

of Council on Education whether the Education Department has refused to sanction the engagement of a girl as pupil teacher in the British School at Embsay, Yorkshire, on the ground that she has not been vaccinated; and whether there is anything in the Education Acts or the Vaccination Laws requiring pupil teachers to be vaccinated; and, if not, what is the legal justification for this refusal?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent, Dartford): Yes, Sir. The Code of 1885, which was signed by Lord Carlingford and the right hon. Member for Sheffield, first laid down that the certificate of health required for pupil teachers should be in a form prescribed by the Department. The form adopted was one in use at several of the Training Colleges, and contained the requirement as to vaccination, and I think that the right hon. Gentleman opposite, and his successors, have been right in adhering to this form as a measure of protection to young children collected in schools.

Mr. PICTON: Did the Department obtain legal opinion?

*Sir W. HART DYKE: There was no doubt on the subject.

THE REPORTS OF THE INSPECTORS OF MINES.

Mr. BURT (Morpeth): I beg to ask the Secretary of State for the Home Department whether he can state the reason for the delay in issuing the Annual Reports of the Inspectors of Mines; and, whether he can say when these Reports will be in the hands of Members?

Mr. MATTHEWS: There has been no unusual delay in one issue of these Reports. Last year they were not delivered until the 31st July; the corrected proofs of this year's Reports are now in the hands of the printers, and the Reports will, I hope, be in the hands of Members very shortly.

Mr. J. E. ELLIS (Nottinghamshire, Rushcliffe): Will the right hon. Gentleman give an assurance in regard to the future?

Mr. MATTHEWS: I have kept the assurance that was given to the House by placing constant pressure upon the Inspectors.

WORKMEN IN WOOLWICH ARSENAL.

COLONEL HUGHES (Woolwich): I beg to ask the Secretary of State for War whether he can now state what action is proposed to be taken on the Report of the Select Committee on Workmen in Woolwich Arsenal and other Government establishments, entered from 1861 to 1870, being entitled to superannuation; and, whether, if legislation be required to carry out the recommendation of the Committee, such legislation will be proposed this Session?

*MR. E. STANHOPE: I regret that I am not yet able to make a statement on this subject. I am most anxious to expedite a decision, and when a decision is arrived at I will inform my hon. Friend.

CIVIL ESTABLISHMENTS.

SIR JOHN PULESTON (Devonport): I beg to ask the Chancellor of the Exchequer whether, in consequence of the delay which, owing to unforeseen circumstances, has arisen in issuing the Treasury Minute relating to Civil Establishments, and in view of the fact that all promotions and appointments to duty pay posts among Lower Division Clerks have been suspended since the 20th December last, the Treasury will cause any benefits that may accrue to the clerks under the new scheme to take effect from the date mentioned?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): There has been no suspension of promotion among the Lower Division Clerks, but only of appointments to highly-paid posts. The Treasury Minute will be in the hands of Members, I hope, in a few days; they will then see the proposals of the Government with regard to Lower Division Clerks.

REGISTRATION OF DEATHS.

MR. AINSLIE (Lancashire, N. Lonsdale): I beg to ask the President of the Local Government Board whether the Registrar General has issued instructions to local registrars of deaths to discontinue the practice of sending notices of deaths to country newspapers, and if he is aware that this practice gave great satisfaction to the poorer classes, who looked to it as the sole means of com-

municating to their relatives such notices of deaths; and, if such instructions were given, will he take means to ensure their withdrawal, seeing that no charge is made by country newspapers for their notices?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): As I have already stated, in reply to previous questions on this subject, I am informed by the Registrar General that registrars of births and deaths have always been forbidden to furnish for publication any statement of facts respecting the births or deaths registered by them, and his attention having recently been called to a violation of this rule by certain registrars, by a complaint from private individuals that particulars furnished for registration purposes had appeared in a local newspaper without their consent and contrary to their wishes, he has reminded the registrars who have contravened the regulations on this subject that the particulars are given to them for official purposes only, and he has insisted on the rule which has always been in existence being duly observed. I entirely concur in the course adopted by the Registrar General, as I am clearly of opinion that when a statutory duty is imposed upon persons to furnish information for registration for public purposes there is good ground for complaint if the officers who act as registrars supply the particulars to the local Press.

IRELAND—DONAGHADEE HARBOUR AND PIER.

MR. M'CARTAN (Down, S.): I beg to ask the Secretary to the Treasury whether he can state the amount of money which has been expended in the erection of the harbour works and pier at Donaghadee, County Down, and also in their maintenance and improvement since their erection; whether he is aware of the present dangerous state of the harbour, owing to the silt and stones which have accumulated there; and, whether, considering the importance of this harbour at the entrance of Belfast Lough, a Grant will be made to render it a place of safety for vessels obliged to take refuge therein?

MR. JOHNSTON: Before the hon. Gentleman replies to that question will he answer a question on the same subject, which is down on the Paper in the

name of the hon. Member for North Down (Colonel Waring) for Tuesday next?

MR. SEXTON: May I ask you, Mr. Speaker, whether a question which is down for Tuesday next ought to be answered now?

*MR. SPEAKER: I have no knowledge of what the question is.

MR. JOHNSTON: My question was addressed to the Secretary to the Treasury.

*THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I also have no knowledge of what the question is. In answer to the question on the Paper I have to say that £148,034 was spent in the formation of Donaghadee Harbour, and £24,728 has since been spent on repairs and maintenance. No dues are charged. There has been some silting, as was inevitable, but the harbour is not in a dangerous state. There are no local fishing boats, and there is ample room for the fishing boats from other ports that make use of the harbour, amounting last year to 54.

MR. CECIL ROCHE, R.M.

MR. HAYDEN (Leitrim, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether an increase of salary has recently been given to Mr. Cecil Roche, R.M.; and, on what date was the increase given, and for what reason?

MR. A. J. BALFOUR: Mr. Cecil Roche, R.M., has among others been recently promoted from the third to the second class of Resident Magistrates. The date was the 1st of March. The reason was that, in the opinion of the Government, he thoroughly deserved it.

MR. HAYDEN: Is it true that Mr. Roche has been promoted over the heads of officers who have been much longer in the service?

MR. A. J. BALFOUR: Promotion does not go by order of seniority.

MR. FLYNN: Is the right hon. Gentleman aware that a resolution has been passed in the district protesting against the promotion of this fanatical firebrand?

*MR. SPEAKER: Order, order!

ALLEGED ASSAULT UPON AN EMERGENCY MAN.

MR. PATRICK JOSEPH O'BRIEN (Tipperary, N.): I beg to ask the Chief

Secretary to the Lord Lieutenant of Ireland whether he has seen the report of a case tried at Cloughjordan, County Tipperary, on the 12th instant, before Colonel Waring and Mr. Meldon, Resident Magistrates, in which Mr. O'Reilly, a respectable trader of that town, was charged with an alleged assault upon and intimidation of an emergency bailiff named John Fox; whether his attention has been called to the fact that the evidence of the prosecutor was contradicted by the police evidence, and also by an independent witness, and that the Magistrates, in giving judgment, used the following language—

"We take into account the peaceful condition of the district, and will require the defendant to give bail, himself in £40 and two sureties in £20 each, or one month's imprisonment";

and whether, having regard to the uncontradicted evidence concerning O'Reilly, steps will be taken to relieve him from the effects of this sentence?

MR. A. J. BALFOUR: I understand that it is the case that a prosecution was instituted against Michael Reilly, a trader, for using violence and intimidation towards Fox. The evidence of Fox appears to have been only contradicted by the police as to the amount of violence and intimidation used. Fox, who is a bailiff, has been refused supplies of any sort by ten publicans in the neighbourhood, including Michael Reilly. The Magistrates appear to have used the observations attributed to them in announcing their decision. There does not appear to be ground for adopting the steps suggested in the last paragraph.

MR. ARCH AND THE AGRICULTURAL LABOURERS' UNION.

MAJOR RASCH (Essex, S.E.): I beg to ask the First Lord of the Treasury whether, with reference to the published correspondence between the hon. Baronet the Member for the Western Division of Essex and Mr. Joseph Arch, the Government will next Session increase the powers of the Friendly Societies Committee, in order to admit evidence with reference to the Agricultural Labourers' Union?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): My attention has been drawn to the correspondence alluded to,

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but I am unable to give any pledge in the matter, as the Report of the Committee on Friendly Societies is not yet in the hands of the Government, who would have to consider it before deciding whether it was necessary to re-appoint the Committee next Session, and whether their powers should or could, be enlarged so as to include other than Friendly Societies.

MACCLESFIELD TRUSTEE SAVINGS BANK.

MR. J. E. ELLIS (Nottingham, Rushcliffe): I beg to ask the First Lord of the Treasury whether the attention of the Lord Chancellor has been drawn to the remarks of the Commissioner appointed under 50 and 51 Vic. c. 47, to inquire into the affairs of the Macclesfield Trustee Savings Bank, in his report to the Treasury, p. xxxviii. respecting Mr. Thomas Stringer and Mr. Peter J. Eaton; and whether the names of these persons have been or will be removed from the Commission of the Peace?

*MR. GOSCHEN: The Lord Chancellor's attention has been called to the remarks of the Commissioner appointed to inquire into the affairs of the Macclesfield Trustee Savings Bank respecting Mr. Stringer and Mr. Eaton. I understand that the Lord Chancellor is anxious to wait till he has seen the evidence before forming a judgment in this case. The evidence, being very voluminous, is not yet out of the hands of the printer.

EVASION OF LICENCE DUTY BY BOGUS CLUBS.

MR. AGG-GARDNER (Cheltenham): I beg to ask the Chancellor of the Exchequer whether the Government will make inquiries into the prevalence of bogus clubs, the premises of which are largely used for the sale and consumption of intoxicating liquors without licence; with a view to introducing a measure to provide for their registration or suppression?

*MR. GOSCHEN: The question of the hon. Member raises an important subject. There is, no doubt, some evasion of licence duty by means of clubs, the premises of which are used for the sale and consumption of intoxicating liquors without licence. I have already given my attention to this

subject, but without, so far, discovering any practicable means of striking at bogus clubs in the manner indicated; I will consider the matter further during the Recess.

MR. CONYBEARE'S IMPRISONMENT.

SIR W. FOSTER (Derby, Ilkeston): I beg to ask the Chief Secretary for Ireland whether he has any information as to the condition of the hon. Member for Camborne since he has been in prison; and whether it is the fact that the hon. Member cannot take proper exercise in damp weather because there is no covered exercise ground, and that he is suffering in health in consequence?

MR. A. J. BALFOUR: I have received no report suggesting that the hon. Member for Camborne is suffering as the hon. Member states. But I will make inquiries.

THE IRISH ESTATES SOCIETIES COMMITTEE.

MR. DILLWYN (Swansea, Town): I beg to ask the First Lord of the Treasury what action the Government intend to take on the suggestions which were made last night by two Members of the Government in the course of the Debate on the Irish Estates and Societies Committee?

*MR. W. H. SMITH: I think that the House should be satisfied at present with the opinions expressed by my right hon. Friends. But it is obvious that this is a matter which ought to be arranged between the persons interested, and I should hope that some understanding will be arrived at.

MR. LAWSON (St. Pancras, W.): May I ask whether the right hon. Gentleman is aware that the Committee is continuing to sit and take evidence although the Members of only one Party are present?

*MR. W. H. SMITH: I was not aware of it.

ORDER OF BUSINESS.

MR. CAVENDISH BENTINCK (Whitehaven): I beg to ask the First Lord of the Treasury whether he can name a day for the discussion of the Estimates of the Post Office and Revenue Departments; and whether he will undertake that the consideration of these and other important Estimates shall

have precedence over the Second Reading of the Intoxicating Liquors (Ireland) Bill?

*Mr. W. H. SMITH: We hope to proceed with Supply next week, but I am unable to fix a date for the discussion of the Post Office and Revenue Estimates. The Intoxicating Liquors (Ireland) Bill is down on the Paper for Second Reading to-night, but looking to the place it occupies and the notices of opposition to it, I do not think it likely it will come on nor am I able to say when it will be dealt with.

NATIONAL DEBT CONVERSION AND REDEMPTION OPERATIONS.

Return ordered—

"Showing the result of the operation under 'The National Debt (Conversion) Act, 1888' (51 and 52 Vic. c. 2), 'The National Debt Redemption Act, 1889' (52 Vic. c. 4), and 'The National Debt Act, 1880' (52 Vic. c. 6), up to the 20th day of July, 1889, inclusive."—(*Mr. Jackson.*)

Return presented accordingly; to lie upon the Table, and to be printed. [No. 283.]

PUBLIC TRUSTEE BILL [LORDS].

Read the first time; to be read a second time upon Monday next, and to be printed [Bill 351.]

WOODS AND FORESTS AND LAND REVENUES OF THE CROWN (INQUIRY NOT COMPLETED).

Report from the Select Committee with Minutes of Evidence and an Appendix, brought up, and read.

Report to lie upon the Table, and to be printed. [No. 284.]

FISHING, &c. (SCOTLAND).

Return ordered—

"Showing during the year 1887-8 for each county in Scotland and each parish the yearly value of the Fishings, Shootings, and of the Deer Forests, under the following heads:—

County.
Parish.
Yearly value of Fishings.
Yearly value of Shootings.
Yearly value of Deer Forests."
—(*Mr. Hunter.*)

MESSAGE FROM THE LORDS.

GRANTS TO MEMBERS OF THE ROYAL FAMILY.

That they do request that this House will be pleased to communicate to their

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Lordships, a Copy of the Report from the Select Committee appointed by this House in the present Session of Parliament on Grants to Members of the Royal Family.

Lords' Message considered. Printed Copy to be communicated.

TOWN HOLDINGS.

That they do request that this House will be pleased to communicate to their Lordships, a Copy of the Report from the Select Committee appointed by this House in the present Session of Parliament on Town Holdings.

Lords' Message considered. Printed Copy to be communicated.

ORDERS OF THE DAY.

THE ROYAL GRANTS.

MESSAGE FROM HER MAJESTY [PRINCE ALBERT VICTOR OF WALES AND PRINCESS LOUISE VICTORIA OF WALES] [2nd July.]

Committee thereupon.

Order read, for resuming Adjourned Debate on Amendment to Question [25th July], "That Mr. Speaker do now leave the Chair."

And which Amendment was—

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, respectfully setting forth that, in the opinion of this House, the funds now at the disposal of Her Majesty and of the other Members of Her Family are adequate, without further demands upon the taxpayers, to enable suitable provision to be made for Her Majesty's grandchildren, and that such provision might, if it be desired, be increased, with the approval of Her Majesty, by the withdrawal of many salaries in Class 2 of the Civil List, and by other economies in Classes 2 and 3, and this without trenching upon the honour and dignity of the Crown, and without inconvenience to Her Majesty,"—(*Mr. Labouchere.*)
—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate resumed.

*MR. BRADLAUGH (Northampton): In rising to resume this Debate, I am perfectly conscious of the difficulty that rests upon anyone who supports the Amendment moved by my hon. Colleague, first, because such a one has naturally

against him that *esprit de corps* which in every nation prompts men, without distinction of party, to rally together for the purpose of resisting anything which may seem like an attack upon the head of the State, and the difficulty is increased because, as was pointed out by the Under Secretary for India last night, everyone supporting this Amendment has to encounter the marvellously eloquent expression of opinion in favour of the Report of the Committee, and therefore of the proposals of the Government, which extorted ungrudging applause from all divisions of the House last night. The difficulty is still further enhanced by the language of the right hon. Gentleman the Member for Newcastle-on-Tyne (Mr. J. Morley), who stated last night that he had no mind for being a party to receiving the Message from the Throne, his words intimating that that Message ought never to have been sent to the House. The Amendment before the House is not of such a nature; and I suggest that the House pays the respect due to any Message from the Throne in referring the Messages to the consideration of a Committee. It is perfectly legitimate, the Committee having pronounced an opinion with reference to those Messages, to move an Amendment directly negating the Committee's opinion. The journals of the House in times when the House was less representative of the people show many occasions on which Messages from the Crown have been answered in language which, while perfectly respectful, intimated that in the opinion of the House the Messages ought not to have been sent. There is, indeed, one remarkable instance of the answer of the House of Commons having been torn out of the journals of the House by the King himself. With regard to a Message from the Crown relating to finance, hon. Members must remember that they are the guardians of the public purse. I regret that the right hon. Gentleman the Member for Newcastle has attributed personal discourtesy to hon. Members who believe that they are performing a solemn duty. The difficulties are rendered greater by language used on the previous evening by the right hon. Gentleman the Chief Secretary for Ireland (Mr. A. J. Balfour) whom I am sorry not to see in his place. It is difficult to discuss the question

calmly in the face of such language as has been used by Chief Secretary, one of the leading Members of the Ministry, a man who knows the value of words, a trained speaker, and one who has no inducement, except that which could not weigh with a man like him, though it might with a man like myself, to merely draw momentary applause from ignorant hearers. The right hon. Gentleman is reported in the *Times* to have said—

"I watch their controversies about Royal Grants with pain and disgust. . . . A mere feeling of chivalry should have checked these sordid and ill-timed attempts to protect what they are pleased to term the interests of the British taxpayer."

The right hon. Gentleman is a scholar and used to occupy his leisure with historic researches; and he belongs to the Tory party. I am glad that there are Tories present, because the Tory Party was not always on the side of Royal Grants since the present reigning family took the Throne. I find that 60 years after the glorious Revolution of 1688 Tory Gentlemen, with an abundance of epithets at their service equal to those of the Chief Secretary, used them in a very different fashion. Leading Tories of that time made speeches in the House of Commons against the men who were supporting the Royal Grants of that day, and they spoke of those men "as the hired slaves and the corrupt instruments of a profane and vainglorious administration." When, therefore, we are flinging hard words at one another, the Tory vocabulary of days gone by will afford plenty of weapons for the warfare. Another noble Lord of the Tory Party of that day, speaking in the Debate on the Civil List, and on the Grant of £500,000, was not restrained by any feelings of chivalry from saying that "the national funds were being avowedly and openly plundered." But I do not wish to use any words which have only the justification of Tory precedent. I would ask the Chief Secretary, and, in his absence, the Ministry, who must be identified with what he says, whether it is thought that it adds to the calmness of the Debate if Members of the Government are to denounce as sordid and ill-timed objections which, even though inaccurate and ill-founded, my hon. Friends and myself have just as much right to urge in respectful lan-

guage as their Tory predecessors had to use coarse language against the Royal Family and its supporters. The First Lord of the Treasury last evening said that the Civil List was an Act of Settlement for the reign, that it was a compact between Parliament and the Sovereign for her lifetime; and the right hon. Gentleman complained that it was suggested by my hon. Colleague that there was a wish to compulsorily revise it. Assuming that the Civil List Act of the present reign was a compact in all its parts, I ask the right hon. Gentleman where he finds the justification for the application now made to the House? There is not a word to justify it. In Section 9 of the Civil List Act there is a provision that if upon any class, save one, there is a saving such saving "may by the Lords of the Treasury for the time being be applied in aid of the charges or expenses of any other class." It is clear, therefore, from the account furnished to the Committee that there has been no necessity for applying these savings in aid of the expenses of any other class. The Act also provides that the Lords of the Treasury may apply the savings in aid of any charge or charges upon Her Majesty's Civil List Revenue. But the Treasury has done nothing of the kind. They have handed the savings over to Her Majesty without any authority, while the money should really have been applicable to such a claim as that the House is now considering. I will assume that the House must be governed by the doctrine that Parliament is bound to provide a sufficient sum for the maintenance and support of the Sovereign and of the Royal Family. I regret, however, that in the Report and Appendices there is no statement whatever of what the actual cost of the Royal Family has been in any one of the years of the present reign, or even what it is at the present time. But surely this is a material point. The statements in the Report, though not untrue, are misleading, because they only state a part of the cost. The information in the hands of the Government has been repeatedly and obstinately withheld from the House. I suppose, however, that my hon. Colleague in the discussions in Committee must have asked for it and have been refused; and this fact

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becomes material in view of the position of the First Lord of the Treasury that the Civil List is a compact when year after year the compact has been broken by Government after Government, by the right hon. Member for Mid Lothian, of whom I wish to speak with the respect which I honestly feel for him, as well as by the Ministers of the day. The compact has been an illusory one, and I charge the Treasury with having neglected their duty to the nation in making payments which have been applied to the Privy Purse of Her Majesty. It would appear from the Report of the Committee that the national expenditure was only £385,000 charged on the Consolidated Fund, and £152,000 for annuities to members of the Royal Family, or in all £537,000. But there can be no question as to the incomes from the Duchies of Cornwall and Lancaster. Some hon. Members speak of the Duchies of Lancaster and Cornwall as if they were private properties, but the First Lord of the Treasury and the Chancellor of the Exchequer know that Chancellors of the Duchy of Lancaster have contended, within a limited period of time, that it is the property of the nation, only receivable by the Sovereign as part provision for the maintenance of the Sovereign. Therefore, adding £50,000 as the income of the Duchy of Lancaster and £62,000 as the income of the Duchy of Cornwall, a total is produced of nearly £649,000. Up to this point the matter is clear; but now the question begins to be difficult and obscure and it is not possible to be quite exact. It is necessary to wade through the Civil Service, the Army, and Navy Estimates in order to find out the sums which the Royal Family cost year by year, and those sums ought to be added to this £649,000. Taking an average right through those Estimates the sum must always be over £100,000; so that I make the income of the Royal Family from property of the nation to be not quite £800,000. In the reign of William and in the reign of Anne the Duchy of Lancaster and the Duchy of Cornwall went into the Civil List. In the reign of the Georges the Duchy of Cornwall was taken out of the Civil List Act by the existence of the Prince of Wales, and later, not by a draftsman's error but by a draftsman's cleverness, words were introduced which took to some ex-

tent the Duchy of Lancaster out of its applicability. To put the matter in another way, instead of taking a minimum sum of £100,000 to be added to the sum of £648,971, I say, without fear of contradiction, that the accounts show an addition to the revenues of Her Majesty of from £70,000 to £100,000 a year. I will not trouble the House at this moment with the whole of the detailed figures which go to make up this sum, but I take £35,000 or £40,000 for other members of the Royal Family.

LORD R. CHURCHILL (Paddington, S.): Is that in addition?

*MR. BRADLAUGH: Yes, quite in addition.

LORD R. CHURCHILL: Is that of Her Majesty?

*MR. BRADLAUGH: I was dealing with Her Majesty alone. I would take two illustrations to show what I meant. One item, which is fairly debateable as part of the expense of the Royal Family, an item which certainly formerly formed part of the Civil List expenditure, varied from £13,000 to £30,500 was for the repairs of the Royal Palaces in the personal occupation of Her Majesty. The noble Lord the Member for Paddington (Lord R. Churchill) will, I trust, in the course of the evening give the House his views as a financial reformer, and will respond to the appeal I now make to him as I responded to an appeal which he made to me, a long time ago, in an eloquent speech which he delivered at Wolverhampton. Another item which I have written in as part of the expenditure of Her Majesty is a sum of a little under £35,000 a year for the cost of the Royal yachts, without reckoning any kind of sinking fund for the original cost approaching something like £300,000. The same kind of variation applies in relation to the Prince of Wales, the repair of Marlborough House, for example, varying from £2,000 to about £8,000, and shows that it is impossible to take a fixed sum each year, and put down that as the actual cost. Altogether I estimate that it is fair to state the cost of the Royal Family year by year at the amount I put the other night, when I stated that it was something approaching £800,000. But supposing I am wrong, why have not the Government and the Committee

reported what the figures are? If they will not tell what the figures are, ignorant men are apt to exaggerate them. It would be very easy for the Government to avoid the possibility of blunder by making a clear and distinct statement. In 1887 the hon. Member for the Leith Burghs (Mr. Munro Ferguson) moved for a Return showing the various offices and places of emolument held by members of the Royal Family. The First Lord of the Treasury refused to assent to that Motion on the ground that to give any such details would be invidious. That answer was a blunder. I believe that every one of these Royal persons fully earns his various emoluments—I am sure he would not take them if he did not—and the invidiousness, therefore, lies in refusing to give the information. In the Estimates, when any person holds more than one office of profit, there is a star placed against the name, and a footnote stating what such person is entitled to receive, and on what account. There is, in fact, a statement at the bottom of the page which gives the charges upon the Consolidated Fund, and from these footnotes it will be found that some of these personages are in the receipt of Naval or Military pay? Why is that not done here? There can be nothing to conceal, and the very possibility of concealment amounts to a blunder in regard to these points. The curious ignorance which has been shown in this Debate was marked, above all, in the speech of the hon. Member for the Uxbridge Division (Mr. Dixon-Hartland), who gave a number of careful figures and dates which have the merit of being an entire blunder from beginning to end. The hon. Member said that in the reign of George I., and in the reign of George II., the Civil List was £1,000,000 a year, and the hon. Member sought to show that the present Civil List is more moderate and economical than the Civil Lists of Georges I. and II., being only £385,000. I hold in my hand the second volume of the invaluable Financial Return of 1869, for which we are indebted to the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone), and it gives the income and expenditure from 1688 to 1868, year by year. If the hon. Member for Uxbridge had looked at it he would have seen that it shows that, although the Civil

List of George I. was a million and more, it omitted a large number of items which to-day were represented, most of them in the Civil Service Estimates, because the Civil List of William III. and Anne, and George I. and George II., did not mean the cost of the Royal Family alone, but the whole supposed Government of the nation—everything except the Army, Navy, Ordnance debt charges and special expenditure, which was dealt with by special Vote or special legislation. So that the justification of the attack of hon. Members on the Radicals who sit on this side of the House is their absolute unacquaintance with the history of the country in which they live. On the face of it, the Report of the Committee implies, in the 6th paragraph, that the Crown Lands and small branches of the Revenue were the only things that were the private property of the Monarch, and that these were surrendered to the State in lieu of the Civil List. I listened to the speech of the Under Secretary of State for India with great admiration, because it showed that he was by no means ignorant, and showed, further, how accurate and careful his researches must have been. The hon. Gentleman was good enough to tell the House that he shuddered. Now, it takes a good deal to make me shudder at statements which are made from the Ministerial Bench; but, at the same time, I feel bound to protest against some of them. The Report of the Committee states that the revenue from the Crown Lands and other sources is surrendered. Well, that is not true. I hold in my hand the Civil List of William, which has at least the merit of being explicit. I admit that I am precluded by the words of the statute of the present reign and by the words of the Statute 1, William IV., c. 25, from protesting that there was no surrender; but I will say that, except for those words, there was none, and that the legal consequences were far more reaching than what was enacted. All the revenues, which include the Post Office and the Excise, are carefully set out in the Return presented at the instance of the right hon. Gentleman the Member for Mid Lothian, and there is an account of everything alleged to be the private property of Her Majesty. A large number of things are included besides those under

the head of "Small branches" as well as the Crown Lands, and no one will dare to contend that these things were ever dreamt to be the private property of Her Majesty. What, then, becomes of the doctrine of surrender? I allege that I can prove, beyond the possibility of a doubt, that the present Royal Family never surrendered one farthing's value to the country. I am sorry to see that the superior knowledge of the noble Lord the Member for Paddington enables him to contradict me.

LORD R. CHURCHILL: I did not contradict you. I only smiled.

*MR. BRADLAUGH: I hope that it was a smile of approval. I can understand that the noble Lord appreciates the position I am about to take up, and with a smile endorses it, even before I have mentioned it. A passage in the rejected Report says that the Committee examined into matters as far back as the accession of the present Royal Family. I quite agree that the last three Civil List Acts—the Acts of George IV., of William IV., and of the present reign—contain very specific words. It is absolutely necessary, therefore, that I should show how those words came there, because I submit to the House that, beginning with the vague paragraph containing the recital of the Civil List Act of George III., the draftsman step by step manufactured a title to property which, in point of fact, never belonged to the Monarch at all, and never could be surrendered. I shall have to ask the House to go back to 9 and 10 William III., c. 23, the first Civil List Act, so far as I am aware in this country. I suppose that no one will contend that when William III. came to this country he had any property to give up, or, if he had, that he had the smallest disposition to give it up. I am not saying that jestingly, but as a matter of fact, which every one who is conversant with the history of that time well knows. What happened was that the House of Commons voted to King William for his life certain items for Civil List income. The statute was not passed until eight and a half years after that vote. The Grant to William for his life was not a Grant to the Royal Family—it was a Grant to William alone, for his life, and there is no pretence that he surrendered any-

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thing for it. This Grant for life shows that the nation held that it had its property in the revenues granted. So also, coming to the first and second of the Georges, there is no shadow of a pretence of a surrender, or that anything was vested in George I. or George II.; there was never one farthing surrendered by either of these Monarchs, for there was nothing left to them to surrender, the Grants to them being only for life. Each kept his private property as Elector of Hanover, and the legal compact by which the First Lord of the Treasury wishes us to be bound shows that not a solitary farthing was abandoned by either of these Monarchs. When we come to George III. I admit that a change of words occurred; but it was a very peculiar change. The change was not in any enacting part, but only in the Preamble of the Act. In the Preamble the King signified his consent to such disposition of his interests in the Hereditary Revenues of the Crown as would be for the public benefit. But his interests were not the Crown Lands and the small branches. They were interests which he had yet got to acquire. The Grant to George II. for life was no Grant to George III., his grandson, and therefore he had nothing to surrender when the Act was drawn. He had not one farthing of money, or one foot of land to cede. In the Civil List of George IV. curiously enough there do come in enacting words, but I defy the Government to adopt them, because they were so strong, and gave to His Majesty during his life the produce of all Hereditary Rates and Revenues paid and payable to the King's Majesty and his servants. It applied not only to the Crown Lands, but to the Post Office and Excise Revenues and to various other things. If it is contended that those words apply now, then I say that that is a doctrine which I, as a Representative of the people, will resist. The Civil List of George III. was a very wide Civil List. It not only took in the expenditure of the Royal Family, but I find in a letter of the King to Lord North, dated February 3, 1791, a passage in which reference is made to a subsidy to the Court of Sweden which "may be taken from my Civil List." There were consistent Tories at that time sordid enough to help to burden the taxpayer by

receiving payments out of the Civil List. I ask the Government, when any Member of it rises to reply, to say why it is that they have made a pretence of limiting the vesting and surrender of property to the Crown Lands and small branches, when the principle must apply to the whole or not at all. The Government say that they obey a compact in this matter, but there is no compact except the compact to maintain the honour and dignity of the Crown; and so long as I am subjected to a Monarchy in this country, so long will I, by vote and speech, ask that that compact shall be carried out. I protest that there is nothing disloyal in the objections I am taking now, and I was a little grieved to hear the Mover and Second of the Amendment making a protest of their personal loyalty to the Sovereign. I make no protest of my loyalty, and I suffer no charge of disloyalty in submitting the arguments I am submitting. I now come to one passage of the Amendment to which I desire to call special attention—namely, that which declares that the funds now at the disposal of Her Majesty and the other members of her Family are adequate, without further demand on the taxpayer, to enable a suitable provision to be made for Her Majesty's grandchildren. It is clear that the sum of £385,000, fixed by Parliament in its wisdom at the beginning of the reign, has left in certain classes the possibility of savings. The savings may have amounted to £824,000; but the refusal of the First Lord of the Treasury to state whether the amount is more or less seems to me to justify much of the feeling which exists against the Grants in the country. But this does not exhaust the possible means of saving. They may have been savings from the income of the Duchy of Lancaster, and from the Privy Purse. Probably, however, there has been no excess in the latter. The Paper which has been handed in implies that Her Majesty was put to great expense in connection with the Jubilee. Most likely there has been heavy expenditure; but the lesson from that is that during the whole reign, with the exception of years of special expenditure, there has been a large surplus left. I contend that under the Act 1 and 2 Vict., cap. 2, section 9, it was not the duty of the Treasury to have handed over

lease William IV. voluntarily surrendered the right to take this sum, and that surrender has been endorsed and repeated by Her Majesty, no doubt by the advice of her responsible Advisers. In accordance with this the Treasury, by a Minute never revoked, ordered the £630 14s. 2d. to cease on 5th April, 1841, but it is still paid without a shadow of legal authority. These are only small things, but they very much move the country. In the reign of William IV. Earl Grey stated that the feeling against these Royal Grants existed strongly not only amongst the democratic classes but among the easier classes also, and Earl Grey writing at that time says he "has even received letters from Tories expressing a hope that he would resist the Grants." So it is to-day. There is no desire on the part of the bulk of the people to make any change whatever in any of our institutions, but they do resent these small burdens. I submit there is no such compact as that upon which the First Lord of the Treasury relied, and there is money enough in the possession of Her Majesty to meet these demands, and upon these grounds I do, on behalf of the people, oppose these demands, which I regard as unfair, upon them.

LORD R. CHURCHILL (Paddington, S.): It seems to me, Sir, that so long a period has elapsed since I had the honour of addressing this House, that in now obtruding myself upon its notice I almost feel as if I might ask for that indulgence which it usually accords to a new Member. I feel that the subject now under consideration is one of great public interest and importance, and I shall begin by admitting that I have always held an opinion, amounting to an absolute conviction, as to the indisputable right of the Crown to apply to Parliament to make provision for the Royal Family and to rely upon the liberality of Parliament in regard to such applications. The present applications are being made in respect of two children of the Prince of Wales, and we have in the Report of the Committee information as to what were the original proposals of the Government. I take the opportunity of saying that I hold strongly the opinion that the original proposals of the Government were in strict conformity with precedent; and, so far as one can judge from the meagre account of the

proceedings of the Committee with which we have been furnished, it does not appear that the right hon. Gentleman the Member for Mid Lothian took immediate exception to those proposals which the right hon. Gentleman the Member for Newcastle has since described as stupefying and preposterous. That does not seem to have been the view at first taken by the right hon. Gentleman the Member for Mid Lothian, who only placed on record a formula as to the manner in which the Grants should be paid should those proposals be accepted, and I take it, it is extremely probable that if Her Majesty's Government had adhered to their original proposals, they might have secured the support of the right hon. Gentleman. While I regret that Her Majesty's Government did not do so, I cannot blame them. The First Lord of the Treasury says that he made concessions in order to secure unanimity and avoid controversy; but the right hon. Gentleman must now realise that he was engaged in the hopeless task of trying to conciliate those who are absolutely irreconcilable, and that in seeking to avoid controversy he stimulated it. The hon. Member for Northampton has alluded to me as being ambitious of the character of a financial reformer. I have done what I could to give practical proof that financial reform is to me a matter of considerable importance. But I hope to show before I sit down that financial reform has been applied very thoroughly to the provision made for the Royal Family, and that financial reform is more concerned in maintaining the national and Parliamentary credit in the relations between the Crown and the people than in making those alterations in those relations which some hon. Gentlemen opposite suggest. It cannot be denied that the action of the Government and of Parliament, and especially of the Government, in advising the Crown and Parliament, and in allowing the Crown to take upon itself and its own private resources the provision for a considerable number of the Royal Family, has placed on the Sovereign a burden that was not contemplated when the Civil List was framed, and therefore, if I am correct in this, it does amount to some extent to a repudiation by Parliament of an arrangement between the Crown and Parliament, a repudiation which

so far would impair Parliamentary and national credit. The hon. Member for Northampton said that it was never contemplated, when the Civil List was revised at the commencement of this reign, that Parliament should be asked to provide for the Royal Family.

*MR. BRADLAUGH: I said, in reply to the phrase used by the First Lord of the Treasury, that there was not one word in the compact as to such provision.

LORD R. CHURCHILL: It is on that very fact, that there was not one word in the compact as to this provision for the Royal Family, that I rely as showing that it was understood at the time that such provision should be made. There was no trace in the Report of the Committee or the discussions in Parliament at the time of any idea that Parliament should thereafter be relieved from providing for members of the Royal Family. The argument of the First Lord of the Treasury that no notice has been given to the Crown of such discontinuance is unanswerable both positively and negatively. It is all very well for hon. Gentlemen in the free air of the Benches below the Gangway to scoff at precedents; but when they take their places on the Treasury Bench their views on this point will probably change, and they will find they will have to a great extent to be guided by precedent. Not only has no notice been given of any intention on the part of Parliament to refuse such provision, but notice may be taken as having been given to the contrary. I invite the attention of the House to a comparatively recent precedent in the present reign. In 1850 a reformed and distinctively Liberal Parliament was asked by Lord John Russell to grant an allowance of £12,000 a year to the present Duke of Cambridge. That was opposed by some very distinguished Members of the House—among others by Mr. Bright and Mr. Roebuck, the latter of whom was one of the most determined Radicals the House has ever seen. But upon what ground did they oppose it? They did not assert that the Crown had no right to apply to Parliament to make provision for the junior branches of the Royal Family. They objected to the amount, and Mr. Bright took the strong point that provision would have to be

made for other members of the present Royal Family. Could there be a stronger notification that the Sovereign would not be called upon to provide for the junior members of the Royal Family? I now come to another precedent, and an interesting one—that of 1871. The Parliament of 1871 was elected under the influence of a great Reform Act, and contained an overwhelming Liberal majority. I have always held that this country has never seen a Parliament so capable of doing good work, and one that did so much. In that Parliament the right hon. Member for Mid Lothian had to ask for a Grant for the Duke of Connaught; and, referring to the general principle upon which Grants were demanded, he stated, in the most positive manner, that there never was the slightest expectation that savings to provide for junior members of the Royal Family could be made by the Queen; and he proceeded:—

“The general plan waived all attempts to make a general provision at the commencement of each reign for the possible issue of the Sovereign, and we leave it to Parliament to deal with each particular case as it arises, and according to what it may consider that the circumstances of the case demand. . . . Of all the methods by which you can proceed to secure a provision for members of the Royal Family, it is the one by far the most agreeable to the spirit of the Constitution; for its effect is to establish a considerable degree of moral control which Parliament would probably lose if any other method were adopted.”

Some hon. Members may not agree with this; but it is most important coming from a Prime Minister with an overwhelming Liberal majority. It was a clear and an unmistakeable intimation to the Crown that, in the present reign, Parliament would not expect the Crown to provide for the junior members of the Royal Family. I am sure the right hon. Member for Newcastle, who is a just and, on many subjects, an impartial man, will not feel that the line of argument of the First Lord of the Treasury and others that no notice was ever given to the Crown is one unworthy of attention. I believe it to be an unanswerable argument. I now come to the speech of the junior Member for Northampton, who favoured the House with many statistics and some things that were extremely irrelevant. In all courtesy I would admit at once that his knowledge is wide and far exceeds in its general range that of other members of

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the House; but the hon. Member gave his information to the House in rather too pedagogic a manner to secure from the House the full advantage that he ought to secure. It may be that hon. Members on this side of the House are hopelessly buried in unfathomable depths of ignorance; but it would be more diplomatic if he did not tell us that quite so plainly, and if he were, for the purposes of debate, to credit us with knowing something. The hon. Member has a most singular way of dealing with the past. He has exhibited such a knowledge of law—amateur knowledge—as to suggest that he must have fallen a victim to one of the most abominable and pernicious books ever published in this country, “Every Man his Own Lawyer,” and must have forgotten the popular saying which is well known in the Courts that “a man who is his own lawyer has a fool for a client.” I am quite ready to admit that the hon. Gentleman does possess legal knowledge, and has done his best to qualify himself by legal research; but surely he will be prepared to admit that, just as “there were brave men before Agamemnon,” so there were great Radical lawyers before the hon. Member. If the great Radical lawyers who have existed have never been able to detect a flaw in the title of the Crown to its estates, are we not justified in assuming that no such flaw is to be found? The title to the Crown estates has been held by Parliament to be a perfectly clear one. I will not enter into a legal controversy with the hon. Gentleman; but I should imagine that he might submit his arguments to a Court of Law so that we might have an authoritative decision. He might instal himself in one of the Royal Palaces, and, after having been ejected, he might bring an action for assault, and might plead that the Royal Palaces and all the revenues of the Crown had been obtained by the grossest fraud. Until he does something of that kind or persuades some great lawyer to adopt his view and challenge the title of the Crown, he must not be surprised if the great majority of the House differ from him. The hon. Member and his colleagues declare that it is an error to speak of Crown estates, and that they are in no sense of the word Crown estates, but are really the property of the people.

*MR. BRADLAUGH: No; I have never said that. What I have said is that they were originally given to the Monarch for life as part of the Civil List, given with other revenues which are equally and neither more nor less applicable to the purposes for which they were given.

LORD R. CHURCHILL: Well, that is much the same sort of thing, so far as I can see. The hon. Gentleman disputes the personal right of the Crown to the full and free possession of the Crown estates. I found myself on an authority which is good enough for me, and that is a speech on this subject by Mr. Disraeli, who spoke of

“The large real state which Her Majesty possessed by the laws of this realm with as clear a title and as complete possession as any of the Peers hold their estates.”

Did Mr. Disraeli make this statement without authority? On the contrary, if hon. Gentlemen will turn to the Report of the Committee of 1831—as strong a Committee as could have been formed—they will find these words made use of:—

“The House must recollect that the principle on which the sum is allotted by Parliament for the purposes of the Civil List is that it is a payment for the personal advantage of the Sovereign and for the support of the dignity of the Crown in lieu of the hereditary revenue which, at the commencement of each reign, the Sovereign sacrifices for the benefit of the public.”

“Sacrifices!” Could this Committee have used a word more calculated to recognise in all its fulness the complete personal title of the Crown to these estates than the word “sacrifices”?

*MR. BRADLAUGH: Perhaps the noble Lord will permit me to point out that the Committee said the “hereditary revenue,” which included very much more than either the Crown Lands or the small branches.

LORD R. CHURCHILL: It did not include anything beyond what is mentioned in the Appendices to this Report. Again, in 1837, a strong Committee appointed to settle the Civil List repeated and endorsed this statement. There were on the Committee two very distinguished and famous Radicals—Mr. Hume and Mr. Grote. Does the hon. Member imagine that if they had been able to detect any inaccurate expression made use of by the Committee with reference to hereditary revenue, they

upon the development of the estate, which is not larger than 8,000 acres, amounts to no less a sum than £290,000. How has that money been spent? It has been spent in carrying out what I hold to be a great public object; in setting up in Norfolk what might be a standard of excellence in the management of an estate for the surrounding landowners. Since the estate was purchased every farm building has been restored or rebuilt; 100 new cottages have been built—and the word cottages is almost a misnomer for such houses; 200 acres have been planted; 15 miles of new road have been made; and churches, schools, and clubs have been set on foot and supported, not only with the design of showing to the landlords of England what a model landed estate should be, and of inducing them, as far as possible, to conform to that standard and to be desirous of emulating it; but also there was this object, in which the Prince of Wales has succeeded perfectly—that the lot of every man, woman, and child dwelling on the Sandringham estate should be in every sense of the word a happy lot. This I speak of from my own knowledge, and I thought the House would allow me to mention those facts, because a more excellent expenditure of money, which is in a sense public money, has, I think, rarely been made, and because of the ungenerous and extremely ill-natured allusion of the hon. Member for Sunderland. I turn to other points, and I cannot help noticing, in passing, the sole support and authority which the hon. Member for Northampton and his friends are able to adduce in favour of the doctrine that the Sovereign ought to provide for her own children. I suppose that they have searched through the pages of history and Parliamentary Debates, and what is the sole authority? Why, Lord Brougham. The House may have noticed that the date of Lord Brougham's utterance, which the hon. Members have quoted, is 1836. At that time Lord Brougham occupied a peculiar relationship to the Government of Lord Melbourne. There was absolutely nothing which he was not prepared to do or say to upset Lord Melbourne's Administration. This is a fact which cannot be contradicted, and which destroys any Constitutional value which

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may attach to the authority of Lord Brougham's utterances at that period. The hon. Member for Northampton and his Colleagues assert that the Radical Party are now committed inflexibly to opposition to all Grants to the Royal Family. The Radical Party is committed to no such thing. There are many stout and sturdy Radicals who by no means admit the contention of the hon. Gentleman, and I will take as an instance the right hon. Gentleman the Member for Sheffield. ["Oh!"] It seems to me that if the hon. Gentleman denies the title of the right hon. Member for Sheffield to be a stout and honest Radical he is in danger of becoming so particular and eclectic that his following will soon be reduced to infinitesimal proportions. In 1885 the right hon. Gentleman the Member for Sheffield addressed his constituents on the subject of Royal Grants, and he was questioned by one of them. The question was:—

"Did you vote for the allowance to Princess Beatrice?"

And the right hon. Gentleman answered—

"I did vote for the Grant for the Princess Beatrice, and I did the right thing. If it had to be done again I would do it again; and I say if you do not approve do not vote for me. The Princess Beatrice is the last and the youngest of the Queen's children, and I will make no distinction between one and another. I believe that the bargain made with respect to the Crown property was a very good bargain for the State, as I am told that the Crown property in the future will more than pay all the expenses of the Royal Family."

The next question was—

"Do you not think the allowance to the Prince of Wales is excessive?"

The right hon. Gentleman replied—

"There is no greater mistake, in my opinion, that many working-men make in supposing these personal allowances to Royalty are such a tremendous burden on the nation. They are a flea-bite as compared with some bad legislation, some miserable war, or some irregularity. Well, as I told my constituents once in Paradise Square, there was more money stolen in New York by the Municipal Council within a few years than would have paid the expenses of Royalty to the end of eternity—if it should last so long. The mere interest of it would have done it. I do not want you to consider that is a thing that burdens you. You are straining at a gnat and swallowing a camel."

It may be possible, therefore, that the right hon. Gentleman the Member for

Sheffield will not follow the lead of the hon. Member for Northampton to-night. There is another matter on which I wish to touch, and that is the popular feeling which is supposed to exist against these Royal Grants. We heard of it from the hon. Member for Northampton, who spoke last, and from the hon. Member for Sunderland who spoke last night. And, no doubt, I should say that the wish with them was to some extent father to the thought. But we also heard of it in a remarkable speech by the hon. Member for Leicester, who spoke as a warm and earnest friend of Royalty. He said that the feeling of the people on this question was one of indignation—indignation which might, as he appeared to think, at any moment develop into fury, and that fury would be manifested by nothing less than the impeachment and exile of the Royal Family, and possibly even the bloody butchery of the classes at the hands of the exasperated masses. I noticed quite clearly in this necromantic, geomantic, and thaumaturgic harangue that the imagination of the hon. Gentleman even pictured himself as marching boldly and proudly to the scaffold, the martyr of Constitutional moderation to the excesses of a reign of terror. But, after all, what does the portentous and ecstatic prediction of the hon. Gentleman amount to? He declaims against the intolerable burden of the Monarchy—the growing burden—and the repeated applications to Parliament for money. This is a serious matter, which I suppose he has been very careful to examine. As to the growing cost of the Monarchy, I will give some figures as to whether the Monarchy is a growing or a reduced burden. I take the item of Special Grants to members of the Royal Family in this reign and in that of George III. In the reign of George III. the Special Grants to members of the Royal Family were nearly £1,000,000. [*Cries of "Oh!"*] Yes; the hon. Gentleman is quite right to be shocked at that figure. I was shocked myself. I find that whereas the Grants to the Royal Family from 1763 to 1802, a period of 39 years, amounted to nearly £1,000,000, the Special Grants to members of the Royal Family in this reign—that is, from 1837 to 1889, or a period of 52

years—have amounted only to £189,000. Therefore, at any rate on that source of cost, we get a reduction of £800,000. If I take the annuities to members of the Royal Families—and I do not go back to the days of the middle of last century, but only to the last year but one of George III's reign, 1819—the annuities in that year amounted to £430,000 a year. In the present year they amount to only £152,000; therefore, that is a reduction of £280,000 a year since 1819. Now I take the Civil List of William IV. This, in 1830, amounted to £510,000 a year; while the Civil List of the present Monarch is only £385,000 a year. I give this as showing the reduction of annual cost. But I must take the increased amount which the nation receives from the Crown Lands. The nation has more in hand to meet the cost of Royalty than it ever had; and the increase of revenue from Crown Lands in the present reign amounts to £210,000. Therefore, I get a reduction of cost since 1819 of the Monarchy to the people of no less than £650,000 a year. I take the cost of the Monarchy and compare it with the cost of the Monarchy under William IV.; and though I am very anxious to do all that I can to assist the hon. Member in selling this pamphlet from which he quotes, and which he is no doubt anxious to advertise, I must decline to accept the catalogue of charges which it states ought to be added to the cost of the Monarchy. There is not one of these charges which can be fairly added, unless it is the item for the Royal Yachts, upon which much might be said. As to the cost of the Monarchy under William IV., I take the Civil List and annuities together, which amounted to £760,000 a year. The net revenue from the Crown Lands was £150,000, so that the total cost of the Monarchy then was £610,000 a year. The present cost of the Monarchy, including the Civil List and annuities, is £532,000, and deducting the net receipts of the Crown Lands, £404,000, I get a total net cost of the Monarchy to the people of £128,000; showing a reduction of cost to the people, compared with the reign of William IV., of £482,000; this net cost of £128,000 to the people meaning the intolerable, vexatious, unbearable impost of three-farthings per head of the population. It is often said that little

viding for the children of her sons and daughters other than those of the Prince of Wales. That would be probably as large a charge as in the present condition of the Civil List she would be able to take upon herself. The enormous amount of £131,000 a year which has to be paid for the salaries of officials attached to the Court must, as I feel sure no one can deny, admit of a very serious reduction; besides which I think there can be little doubt that the cost of the Royal Household admits of great retrenchment. I am also ready to admit that the amount of the Civil List, coupled with the revenues of the Duchy of Lancaster, making together £436,000 a year, ought to be sufficient to maintain the honour and dignity of the Crown and to provide for the Royal Family; but that is not the question here. I am not prepared, seeing the time of life at which the Queen has arrived, to force upon her the enormously difficult problem of providing between £30,000 and £40,000 a year for the children of the Prince of Wales. After due deliberation, Parliament passed the Civil List Act, in which the various items are scheduled, and that in reality constitutes a bargain between Parliament and the Crown. We cannot, therefore, force upon the Crown at the present moment the necessity of such retrenchments as would provide an adequate sum for the children of the Prince of Wales. Her Majesty the Queen has already taken serious burdens on herself, and she has no doubt lived prudently and made considerable savings. For my own part I regret that the First Lord of the Treasury did not feel himself in a position to say what those savings were. The hon. Member for Sunderland (Mr. Storey) has stated that gross exaggeration exists throughout the country on this subject, and I myself am of opinion that it would be much better if the whole of the case had been fully stated. If this had been done, these misunderstandings and exaggerations would not have existed; but I am bound to say that, as far as I can see, Her Majesty could not have taken upon herself the additional burden of supporting the children of the Prince of Wales. These are grounds upon which I shall vote against all future claims in the first place, and then vote for the provision which is proposed to be made to the Prince

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of Wales. I must say that I shall have no hesitation, if called upon, to justify the vote I am about to give. I do not know what exact form the Amendment may take in this House next week; but whatever the form may be, I shall follow out exactly the same course I now announce—namely, I shall vote to limit, as far as possible, all future liabilities, to extinguish all claims which might be set up in regard to the grandchildren of the Sovereign other than the children of the Heir Apparent; but to make such Grants as I believe in my conscience to be necessary for the support of the family of the Prince of Wales.

*MR. S. HOARE (Norwich): I was a Member of the Select Committee appointed to consider this question, and in this capacity I may claim the indulgence of the House while I address to it a few observations upon the question under discussion, although if that indulgence be accorded, I will promise to trespass upon its patience a very short time. There is only one point to which I desire to address myself, and that is one that has been forced upon the House by hon. Members opposite, in reference to a word used in the Report of the Select Committee. I allude to the word "surrender." I cannot help thinking that the use of that word constitutes a very material point in this issue. Instead of the word "surrender" being used in the Committee's Report, the word "sacrifice" ought to have occurred. I think, if the House had become fully acquainted with the circumstances of the case, they would differ from both the hon. Members for Northampton and say that the word "sacrifice" ought to have been used. The two hon. Members for Northampton have implied that practically there are no hereditary revenues—that what comes under the heads of "woods and forests" are not in reality revenues. The junior Member for Northampton made allusion to the Report of 1869, and I wish he had made fuller reference to that Report, because it would have thrown a great deal of light upon this subject and have put a very different complexion upon it to that which he has put forth. I will quote one clause in that Report which says—

"Although the land revenues have been surrendered to the public use, yet the surrender

has been made only for the lifetime of each Sovereign, and the public stand with respect to the Crown Lands in the position merely of a life tenant."

I do not stand on the question of the Crown Lands, and would rather apply myself to the point on which the hon. Member for Northampton so much enlarged, and that was that, in the reign of William and Mary and of George I. and George II., there was no surrender of hereditary rights. I have striven, as far as I can, to see whether those hereditary duties continued since the time they were instituted, and perhaps the House will allow me to read a clause in the Act of Charles II. as regards hereditary Excise Duties—12th Charles II. c. 24:—

"That there shall be paid unto the King's Majesty, his heirs and successors for ever, hereafter in recompense as aforesaid, the several rates, impositions, duties, and charges herein-after expressed, and in manner and form following," &c.

Then came the list of duties. Now, we have been told that these were never surrendered. We have been told that in the reign of William and Mary there was no surrender of these duties, and that there was no acknowledgment by Parliament that they were entitled to those duties. But those who study these questions will see that the circumstances were absolutely different. William and Mary came to the Throne in exceptional circumstances, and several Acts of Parliament were necessary which would not have been necessary in ordinary circumstances. In one of the earliest Acts, however, of that reign, these very hereditary duties were handed over to them distinctly. In the earlier Acts of the reign of Queen Anne these duties were alluded to, and provision was made for the management of the Crown Lands and hereditary duties. Again, in the Act of Settlement of George I. the same duties were mentioned and in no way surrendered. So, again, in the case of George II.; so that it will be seen that in every instance of accession to the Throne the right to these duties was acknowledged. Therefore, I maintain that the word "surrender" in the Act of William IV. was the right word to use in the Act of Victoria, if it was not right to use the still stronger word "sacrificed." It is interesting to realise what amount the hereditary duties would have reached had they been

carried on by the Monarchy. In the 11 years of the reign of George IV. they would have amounted to £21,500,000, or an annual average of £1,955,000 a year. During the seven years of William IV. they amounted to £21,913,000, or an annual average of £3,100,000. I quite agree that when the Hereditary Revenues amounted to so large a sum there were many more demands upon them; still, I cannot conceive how, because certain portions of revenues were given up, some by Act of Parliament in the reigns of George I., II., and III., the title of the Crown to the Crown Lands and to the smaller branches of the Hereditary Revenues is in any way altered. It must be remembered that those monarchs who did not surrender these Revenues had a totally different arrangement as to expenses of the Civil List. Before the time of William IV. they received considerable portions of those revenues, and these revenues were supplemented to George II. in order to make up the sum to £800,000 a year. I myself feel that, independently of any other consideration, we are bound by a distinct and clear understanding—more than that, by law—to make such provision as is necessary for the honour and dignity of the Crown. For the reason that I believe it is just and right, I shall support Her Majesty's Government in this proposal. We are told by those on the other side of the House that the feeling of the people of England is against the proposal, and that when we return to our constituents we shall find they disapprove of the course we are taking. I do not profess to represent the political opinion of all my constituents; but on one point I should look for their unanimous approval, and that is, that when they judge my action in this matter, they will believe that I have voted according to my convictions.

*MR. OSBORNE MORGAN (Denbighshire): I should not have taken any part in this Debate, but for the statement of my hon. Friend the Member for Glamorgan as to the opinion of the working men in Wales. That statement I believe to be grossly exaggerated. I myself am not a working man in the same sense in which my hon. Friend—to his honour be it said—is or was a working man. But I have represented a working men's constituency

for 21 years, and it is my pride that at the last Election I was returned by a purely working men's vote. My hon. Friend is completely mistaken in his estimate. [Mr. ABRAHAM: No.] I will give my reasons. Only a few weeks ago it was announced that Her Majesty was going down to Ruabon, and I went down to attend a public meeting convened to make arrangements for the reception of Her Majesty. At that time it was not known exactly what amount of Grant the Government would ask for, but it was perfectly well known that some application would be made to Parliament for the purpose. Surely that would have been the time when if it were to be made at all a protest by the working man would have been made. Instead of that there was not a whisper on the subject, and it was on all hands agreed that the reception the Queen was to receive on that occasion should be emphatically a working man's welcome. It may be said that that is flunkeyism. All I can say is that it was nothing of the sort. It proceeded from the feeling, generally entertained by the working classes, that the Queen is their best friend, and that if a calamity happens in the neighbourhood, as unhappily they do occasionally, the first expression of sympathy that comes to the stricken heart or the empty home is a message of sympathy from the Queen. Working men do not forget these things, and I cannot help thinking that they would not thank my hon. Friend for having represented their views as he has done. To come to the question immediately before the House, I must remind it that it is not the amount of the Grant we are considering, but whether there shall be any Grant at all. Disguise it as we may, the question is whether the Message of Her Majesty shall be flung back in her face; whether, in fact, we should consider it at all. For my own part, I protest against this mode of haggling over every item of the Civil List, as if we were taxing an attorney's bill. The speech of the junior Member for Northampton, if it showed anything, went to show that the Queen ought to have nothing at all, and that she is, in fact, a debtor to the State. And as to the argument of the senior Member for Northampton, it is based on two grounds—first that

money was carried to the Privy Purse which never ought to have been so carried, and that Her Majesty had received £16,000 which never ought to have been paid to her. I was a little staggered when I heard that. I have been in the habit of construing Acts of Parliament for 30 or 40 years; though I may not have the legal knowledge of the hon. Member (Mr. Bradlaugh), and I have most carefully considered the 1st and 2nd Vic., c 2, and I have come to the conclusion that there was not the slightest ground for the hon. Member's (Mr. Labouchere) contention. His contention was this, that no year's surplus could be carried over to the Privy Purse from any other branch except to fill up a deficit in bad years. I cannot find a word to justify that construction of the Act of Parliament. If Parliament had intended that particular moneys not used for the particular branch in question should go back to the Exchequer surely Parliament would have said so. My hon. Friend simply relies on the words "in aid," but I venture to say there is no foundation whatever for his contention. Then, in the second place, my hon. Friend says that reductions should be made in the Civil List. Probably there is no branch of the Public Service in which some reduction might not be made. But if they are to be made, is this the proper time to make them? Consider the Queen's age. She was 70 last birthday. Is it decorous—is it decent to go to a lady of 70 and ask her to revise her whole establishment and dismiss her old and trusted servants? Of course, in time, in the course of nature—God grant a long time hence—we or our successors will be called upon to deal with this question. But surely we can wait for that time, especially when we have what is practically a guarantee that within certain limitations this application will be a final one. There has been in the course of this Debate a good deal said about the Prince of Wales—and it has been stated that he performs the duties of the reigning Sovereign without receiving the income of a Sovereign. I am sorry that my hon. Friend below the Gangway spoke of these duties in the way he did. He said they consisted chiefly in dining with the Lord Mayor.

Mr. Osborns Morgan

MR. ABRAHAM (Rhondda): I said nothing of the kind. I gave a quotation from the London *Daily News*, and if the right hon. Gentleman will do me the kindness to read what I said, he will find that he is entirely wrong.

*MR. G. O. MORGAN: Surely the hon. Member did say that the Prince of Wales dined with the Lord Mayor as part of a hard day's work. Well, I must say that if I were given the choice of a hard day's work and dining with the Lord Mayor, especially if it meant a speech after dinner, I should prefer the hard day's work. We all know that the duties of public life are by no means easy, and that the Prince of Wales for some years past has never neglected any opportunity of furthering any non-political, charitable, or philanthropic object, and those are things which cannot be done for nothing. The senior Member for Northampton (Mr. Labouchere) referred to the American Republic, and pointed to the economies practised there. Well, talking to an American friend the other day, he said to me—

"You complain about the cost of your Royal Family, but if you come to Washington and see what goes on there, you will think you get your Monarchy cheap at the price."

A man may be a Republican if he likes, but I protest against the statement that a Republic is necessarily cheaper than a Monarchy. The senior Member for Northampton is very well acquainted with France. What about that country? We all know that since France has been a Republic she has never in any single year paid her way, and at this moment her debt is greater than those of Monarchical England, Germany, Italy, Austria-Hungary, and Greece put together. If I wished to treat this question as one of £ s. d., I might remind the House that the burden which this Motion creates comes to one farthing per head. But I do not wish to put this as a question of money. I desire to put it on the wider and more generous ground stated by the right hon. Gentleman the Member for Mid Lothian last night, and I rejoice to think that if I err to-night in voting for the Government, I shall err in the right hon. Gentleman's company. I am sure that the great speech he delivered last night will be read with favour, not only by the upper and middle

classes of the country, but by thousands of working men, whatever Gentlemen below the Gangway may say to the contrary, and I am certain that there will not be a single person in England, Scotland, Ireland, or Wales who will be shaken in his allegiance to the right hon. Gentleman on account of the course he has taken on this question. The working men of this kingdom, whether they agree with him or not on this question, will not forget that if the right hon. Gentleman has rendered splendid service to the Crown, he has also rendered splendid service to the people.

*MR. CREMER (Shoreditch, Haggerston): If any proof were needed of the remarkable change which has come over the spirit of the dream, of the opposition and hostility which our countrymen are manifesting to the proposals of the Government, we should find it, I think, in the fact that former Debates on similar subjects occupied the attention of the House for only a few hours, that those who attempted to address themselves to the question then under consideration, and who had the courage—and it required on those occasions no little courage, judging from the reports of the Debates which we read out of doors—to oppose the Grants proposed by the Government of the day, were howled down by Members on the Opposition Benches, and even by Members sitting around them. They could scarcely make their voices heard, or their influence felt in this House. Their influence, however, has been felt out of doors, and since then the opposition to increased Grants for the Royal Family has gone on increasing in such strength and volume that instead of a few hours being devoted to the consideration of this important question—important, at least, as the people out of doors believe it—this House, judging from present appearances, will devote, not four or five hours to the consideration of the question, but as many days, and the leading Members of the House on both sides are using their best efforts to convince the people that the Grant proposed by the Government ought to be acceded to. Well, Sir, to me that is most remarkable evidence of the change which public opinion has had upon this House. During this

Debate a great deal has been said about the feeling out of doors, and over and over again it has been asserted by Members sitting on the Benches opposite—and I am sorry to be compelled to admit that even some on this side of the House have deluded themselves into the belief—that there is no strong feeling on this subject on the part of the people out of doors. So far as I am concerned, I am prepared to leave that point to be decided at the next General Election, being perfectly satisfied in my own mind what the verdict of the country will be. A few days ago, when the Committee was being appointed, and you, Sir, called me to order, I was on the point of saying—and perhaps I may be permitted now to conclude the sentence which you, Sir, very rightly cut short—that, so far as I can judge—and I have taken some pains to collect information on the subject—there is no difference of opinion in regard to these grants between the Radical democracy and the Tory democracy—and I admit that there is a Tory democracy, although I have never been able to understand the extraordinary being. There is, however, no doubt about the existence of the Tory democracy, or there would not be so many Gentlemen sitting on the Benches opposite. I challenge hon. Members opposite to ascertain for themselves what the feeling of the Tory democracy is with regard to the proposal now under consideration, and I venture to say that they will find it as strongly opposed to the proposals as is the Radical democracy. If you are prepared for the time when you will learn the unpleasant truth for yourselves, that is a matter for your concern and not mine. As to my constituency, which is probably the most democratic in London—it would not have sent me here if it had not been—I have been to the pains of ascertaining the views of my political opponents, and, except in a few instances, I do not find the Tory Party of Haggerston in favour of these Grants. That feeling I believe to be practically universal in the East End of London. Amongst the toiling masses this antagonism to the proposals of the Government is deep and great. If you come to the West End of London—and let me ask hon. Members opposite who have plenty of opportunity of proving the truth or falseness of my assertion to

go amongst the West End tradesmen and ascertain what their feeling is—I say, if you go to the West End of London you will also find there deep dissatisfaction at the absence of the Court from London, and at the absence of that splendour which generally accompanies Royalty, and to which reference has been so repeatedly made during the progress of this Debate. Amongst the West End tradesmen the grumbling and dissatisfaction is very great at the absence of that splendour which used to characterize the Court, and at the absence of the Court from London. I admit that it would be difficult to induce these people to attend a public meeting to formulate the views which they privately express, but there is no doubt that they are opposed to these Grants. If that is denied let me ask Gentlemen like the hon. Member for North Kensington (Sir Roper Lethbridge) who, last night, waxed very valiant, though I could not help remembering during the time he was showing his Dutch courage, that he had announced his intention not to face the electors of North Kensington again, and that, consequently, he could afford to express himself in the way he did. The hon. Member's valour was, however, very like that of Bob Acres, for as soon as an enemy faced him his courage oozed out at his finger's ends—that is to say, it evaporated the moment he was challenged to test the accuracy of his statement by calling a public meeting in North Kensington. I say let hon. Gentlemen who doubt my statement test its accuracy by calling a public meeting, free and open, not packed, and I venture to say that it will be impossible to get a verdict in favour of the proposals of the Government. The hon. Member for Sunderland yesterday made a statement to the effect that there are Republicans in this House, and that they are even to be found on the Front Opposition Bench. Well, I do not know what warrant the hon. Gentleman has for making that assertion. It is quite clear that the right hon. Gentleman sitting on the Front Opposition Bench (Mr. Osborne Morgan), who has just addressed the House, is not one of those to whom the hon. Member referred. But I cannot help thinking that if there be Republicans in the

Mr. Cremer

country and in this House Her Majesty's Government have earned their gratitude, because these proposals, formulated within the last 10 days, have made more Republicans than the Republican Party could have made in 10 years. These proposals lead the people to drift away from the position they formerly occupied, and lessen their loyalty to the Throne. I have recently returned from Paris, where I noted the wonderful success of the Exhibition. It has been my privilege to attend three Exhibitions in that city, and this one, I believe, is far and away the best Exhibition that the world has ever seen, and people are noting the fact that this country, and other Monarchical countries, have boycotted that Exhibition. That was an act of folly by which you have taught the people this lesson, that the smiles and presence of Royalty are not necessary for the success of an Exhibition. [*Laughter.*] Hon. Members may laugh; but they cannot deny that up to the present time more people have attended that Exhibition than ever attended any other. The Government made a mistake in refusing to countenance the Paris Exhibition, and they are making another mistake in increasing these Royal Grants. The people out of doors have been told repeatedly in the progress of this Debate that they must be bound by some compact—whatever it is—made at some period of our history, by some Parliament. Granting, for the sake of argument, that there is such a compact, I ask whether this Parliament, this generation, are to be bound by a compact made 50 or 100 years ago by a Parliament which did not neglect the feelings and wishes, the interests and the wants, of the people, but what that Parliament did 50 or 100 years ago the present Parliament, which is more representative of the people—not completely representative, but more so than the old one—has a right to undo. Therefore, we and the people out of doors do not consider ourselves bound by this compact. We had a remarkable speech made last night from the hon. Gentleman the Member for the Uxbridge Division of Middlesex (Mr. Dixon-Hartland), a district in which the masses of the people are not largely located. He undertook to enlighten the House as to what the real feeling of

the people is, and he said that the lower classes—to which I myself have the honour to belong—do not begrudge what is paid to the Crown, because the expenditure tends to the prosperity of the masses of the people. Surely that is a most extraordinary doctrine. It is an entirely new reading of the science of political economy; and I am looking with considerable anxiety for a new treatise on that science from the hon. Member, as it is clear he must have studied the matter very closely to have arrived at such a novel conclusion. He seemed to have at his fingers' end the Civil List of every country, civilised and uncivilised, on the face of the globe, but the one to which he particularly drew attention for purposes of contrast was that of America. Hon. Members are fond of pointing to the large expenditure which takes place in the United States; but they always forget to point out, that that country is ten times greater than the little Island on which we live, and that its population, instead of being 30,000,000, is upwards of 60,000,000. Taking into consideration, therefore, the size of the country and the population, the Civil List in the United States, relatively speaking, is less than our own. But even if that were not the case the Civil List in America is devoted to the payment of men who work. In this country it is devoted to the payment of people who do not work; that is the distinction and the difference which we, and the people out of doors, understand between the Civil List of the United States and that of the United Kingdom. Hon. Gentlemen on the other side of the House, and, unfortunately, too many on this side, are doing their best to exaggerate the difference which exists between Dives and Lazarus. The social distinctions between the people of the United Kingdom are already too great. Many of us deplore that they should exist, and are doing our best to bridge them over; but you, by your legislation, or your proposed legislation, appear determined to bring into more painful relief the difference between rich and poor. This question of Royal Grants was sleeping; but you have aroused it in the minds of hundreds of thousands of men and women in this country who have to toil hard for their 15s., 20s., or

30s. a week. These people are now asking if it is right that in a country boasting of its Christian civilisation one family should have nearly a million of money a year to divide amongst them, whilst other families should have to toil for 15s. a week, and others should starve. It is idle to forget these things. They are broad facts that stare us in the face, and which are daily driving the people more and more into the ranks of the Republican party. In conclusion, I would merely say that I should be wanting in my duty to the men who did me the honour to send me here if I neglected giving expression to the feeling that exists on their part in regard to the proposal of the Government. There is almost universal opposition to these Grants on the part of the working classes; and I will ask hon. Members who are most loud in their professions of loyalty to the Throne and devotion to the Institutions of the country, to pause and seriously consider whether their action in pressing these additional burdens on the people may not produce the very opposite effect to that which they desire. I have discharged a duty I owed to my conscience and to my constituents. I feel that I should have been wanting in my duty if I had not endeavoured, as far as I was able, to enter an emphatic protest against the proposals of the Government, and I feel myself bound at every stage of the proposals to enter the Division Lobby against them.

*MR. BARTLEY (Islington, N.): I will not criticise the Report of the Committee. It seems to me that if the Government have erred in any way they have—as the noble Lord most eloquently pointed out—erred somewhat in trying very naturally to induce the Committee to give a practically unanimous vote on the subject that they had before them. But I can support the recommendation of the Committee, because it seems to me that so long as we do have a Constitutional Government, consisting of three Estates of the Realm, we are bound to maintain the Sovereign and her family, as the right hon. Gentleman the Member for Mid Lothian yesterday pointed out, in a position not only of sufficiency, but of splendour. Had it been distinctly laid down in connection with the Civil List that the Crown and the Prince of Wales

were to provide for their families when they started in life for themselves it would have been a fair argument against these grants. But the right hon. Member for Mid Lothian showed clearly that that was not the case. Therefore, that reason for opposing the Grant is cleared away. Another reason which might induce the House to stop the supplies would be a belief that the Constitutional Sovereign had not performed her duty to the State. But there has not been a shadow of an idea of that sort in this House or anywhere else. The only danger of the Queen's reign will be that she has raised such a standard of moral and political rectitude that it will be difficult for her successors to come up to it. The third objection is that we have already supplied a sufficient amount to maintain the children of the Prince of Wales. But the sufficiency of the amount is a very difficult question to decide, despite the comparisons which have been made between families with a few shillings a week and those which have their hundreds of thousands a year. That sort of argument has been completely destroyed by the right hon. Gentleman the Member for Mid Lothian. The great cost of the Crown must be part and parcel of the cost of the State. Reference has been made to the cost of the President in America, which is put at £10,000, but it must be remembered that the cost of electing the President every four years, to say nothing of the disturbance of trade and commerce, amounts to something like £4,000,000 sterling. For the simple privilege of electing the Head of their Government the cost per year to the Americans is twice that of our Royal Family. Objections to Royal Grants may be honestly and fairly entertained; but what I do protest against, in the strongest language I can use, is the publication of false reports and statements concerning the Royal Family in certain newspapers which are a disgrace to the Press. It seems to me monstrous to take advantage of the present occasion to placard London with statements concerning His Royal Highness the Prince of Wales and other members of the Royal Family—statements which no one would dare to make against private individuals. I have not the honour of knowing His Royal Highness the Prince of Wales, but I have read papers which are a disgrace

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to the Press, and which contained statements that, had they been made against a private individual, would have at once induced an action for libel with heavy damages. But we know perfectly well that it is impossible for His Royal Highness to take steps against the scurrilous proprietors of these papers as could other persons, and it is because these men feel secure in their cowardly position that they venture to do these things. It is a sign of the times which is very much to be regretted, and I am sure hon. Gentlemen will agree with me that statements have been published in this way that are a credit neither to the Press, to London, nor the country. But we know who these persons are, and we know that their statements help to sell their papers. They live on such vile slander; they grow rich upon it; but I think the time has come when public opinion ought to put a stop to their practices. It is a remarkable thing that while nobody treats these editors and proprietors of such newspapers with any possible respect, yet respectable persons subscribe thousands of pounds to carry on these scurrilous prints, which should be brought within the law by some means or other and put a stop to. It must not be supposed that I am alluding to any Member of this honourable House. I am simply protesting against these cowardly and disgraceful attacks. I have no hesitation in supporting the present Vote, notwithstanding that the constituencies are held up as a cause of fear. I have worked many years among the working classes, and as much as most people, and I know that the one thing they object to is anything stingy and niggardly. They do not mind a really proper expenditure to maintain the honour and dignity of the Crown. I am perfectly prepared to face my constituents, knowing well that whatever I did I should be abused by a certain section of the community. But I do not think my action will affect half a dozen votes in my constituency; but whether it be half a dozen or half a dozen hundreds, the right principle on which to deal with working men is to tell them exactly what you intend to do, because you think it is right, and you will find them voting for you, even if they disagree with you on a particular subject. I am sure when the next Election comes those hon. Members who

think with me will have nothing to fear, for we will have done what is right and proper for the maintenance of the honour and dignity of the Crown.

*DR. CAMERON (Glasgow, College): I am not going to follow the hon. Gentleman into his disquisition on journalistic or electoral ethics; nor shall I enter into the comparative cost of Republicanism and Royalty. What I wish to point out is the gross inaccuracy of some of the statements of the noble Lord (Lord R. Churchill). He compared previous Civil Lists with the present Civil List, and he argued that a great economy had been effected. Had he read the Appendix to our Report, he would have seen that it contained the Report of the Commission of 1837; that when pensions were dealt with, half were left on the Civil List and half were placed on the Consolidated Fund. They considered the amount of the pensions on the Civil List much larger than it ought to be, and recommended its reduction from £170,000 a year gross or £145,750 nett, at which it stood on the demise of his late Majesty, to £75,000 transferring the other £80,000 to the Consolidated Fund. That shows one little error of £80,000 in the noble Lord's calculations. I have no doubt were I to follow him into elaborate details, I could disclose greater inaccuracies in his figures. The noble Lord spoke of the Report of 1837 as having been produced by the most eminent and distinguished economists—Hume and Grote—and led us to imagine that they were satisfied with the Report. The Committee fixed the Civil List for the present reign. What was Mr. Hume's opinion of the way in which it did so? Had the noble Lord read the Appendix to the Report, he would have found on page 36—

"Amendment proposed by Mr. Hume, to insert at the end of the Report—'As the Committee have not had sufficient details before them to enable them to judge either of the number of officers and servants in the Departments of the Lord Chamberlain, the Lord Steward, and Master of the Horse, or as to the estimates produced for these several Departments, the Committee do not consider themselves called upon to offer any opinion as to the adequacy of the details of the estimates.' The Question was put and negatived."

So much for the noble Lord. On the matter immediately before the House, I should not have considered it necessary

to say one single word in explanation of my position, had it not been for the conclusion at which the right hon. Gentleman the Member for Newcastle arrived, after a speech setting forth, I think, in a most able and clear manner, the reasons which induced him in Committee to take up the position which he did. Had the right hon. Gentleman been content to sit down, without intimating what he was going to do, his speech would have been an exact explanation of my position, and I should have been content to have remained silent. But the right hon. Gentleman, after explaining the whole course of matters in Committee, said he was going to vote for the Government. As I am going to vote with the hon. Member for Northampton, I consider it necessary, after my position has been so accurately described by the right hon. Member for Newcastle, that I should explain why I propose to take an opposite course from the right hon. Gentleman. The right hon. Gentleman explained that he and certain other Liberals on the Committee were strongly imbued with the desirability of a unanimous recommendation. I was one of those who did not desire to have argumentative discussions on this Grant, and were anxious to effect a compromise. The hon. Member for Northampton had acknowledged the great services which had been rendered by the right hon. Member for Mid Lothian. But my hon. Friend greatly underrated those services. Their value is represented by the difference between annuities of £40,000 a year on young lives, and one of £36,000 payable on the joint lives of a Queen whose age we all know, and a Prince in middle life. The capitalised value of this charge to the nation could not be put at much less than £1,000,000. I think that Radical opinions in this matter are progressing, and that when another Civil List is arranged many of the present parasites of the Crown by which its means have been crippled and impaired would be cut away. The terms of that compromise were distinct and clear—that there must be a repudiation of any further claims. Then came the substitution for the original proposal of the Grant to the Prince of Wales to enable him to provide for his family. But the Member for Mid Lothian's Amendment did not negative those claims, but proposed to leave

them an open question. Even to that I was willing to agree, because with the proceedings of the Committee entered on the Report, the inferential negating of the claim would have stood on record. The right hon. Gentleman's (Mr. Gladstone's) Amendment having been rejected, I and the majority of Liberals on the Committee voted against the Grant, and having done so, I cannot see any disrespect to the Crown in the Amendment of the hon. Member for Northampton. I see no distinction, as the people outside the House will see no distinction, between raising the question at this time and raising it in Committee. The constituencies will expect their Members to express their opinion, whether for or against the Government, at the earliest possible stage; and I therefore intend to record my vote for the Amendment.

*COLONEL BLUNDELL (Ince): The tenour of all the utterances of Ministers in the early part of the reign was to advise the Sovereign to leave the financial affairs of the Royal Family unreservedly in the hands of Parliament. The country has taken on itself a parental responsibility in respect to the Royal Family in the matter of finance.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

*COLONEL BLUNDELL proceeded: I would point out that Her Majesty has entertained a number of Foreign Sovereigns without applying to Parliament for funds for that purpose, which is, I believe, contrary to precedent in this country. Among others Her Majesty has entertained the Emperor and Empress of the French, the Sultan of Turkey, the Shah of Persia, on this and on another occasion, and other Foreign Princes, and had the Queen been made aware by the Ministry that she was expected to save money to make provision for her grandchildren, it is hardly likely she would have expended large sums in the entertainment of Sovereigns who were, in reality, political visitors. In such cases it is probable that the Queen would have followed the course taken by former Sovereigns and applied to Parliament for the necessary funds. I think this House would have done well to have assisted Her Majesty in making provision for the younger branches of her

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family. I do not suggest a large provision, but something should have been done under all the circumstances. It must be recollected that the Royal Family do a great deal of work in the country. His Royal Highness the Prince of Wales has done his duty nobly, but the younger branches of the family have also been called on to foster and promote benevolent and utilitarian objects throughout the country. The performances of these functions involves considerable expenditure, and I should have liked to have seen the House assist Her Majesty in making some provision for the younger branches of the Royal Family. There is to my mind a want of chivalry in entirely throwing overboard the younger children. There is such a thing as worshipping the rising sun. The brilliant speech we heard last night is a legacy to this and every Constitutional country as regards the future, but we have to deal with the present reign.

MR. A. L. BROWN (Hawick, &c.): I interpose in this Debate with considerable reluctance. I do not very often speak here. When one rises in a public meeting one can always hope to convince or to convert to one's views at least one or two of the audience; but I have long ago seen that that is an absolutely hopeless task here. But, though I do not rise with the ambitious intention of trying to change any man's vote, I think I can give a very reasonable cause for asking a few minutes' attention from the House. Some of us here represent what are popularly called Gladstonian constituencies; and if there is one constituency which deserves that name it is the Border Burghs. When any of our Tory opponents choose to call us Gladstonian, we generally say, "We are proud of the name. We are so convinced of the good judgment of our great leader, and of his capacity to manage affairs, that we are quite willing to commit to him our political souls, to do with them whatever he likes." Now we Gladstonians are going to vote to-night against our great leader. Friends and foes alike have pronounced the speech of the right hon. Gentleman the Member for Mid Lothian to be a very great speech. I suppose the right hon. Gentleman was never more eloquent and never more skilful.

He seized on the weak points of his opponents; he held up the high character of the Royal Family, and as to the useless offices connected with Royalty, he employed that wonderful sentence about the splendour of the Court. He alluded to the advanced age of the Queen, and to the pain it might give her if any change were made in her surroundings; and he concluded by saying he had been a loyal servant of the Crown all his life, and he was proud to be so in his old age. While we listened to the voice of the charmer we felt there was something which broke the charm of his words. The right hon. Gentleman was cheered vociferously by hon. Gentlemen opposite, more especially by those sitting below the Gangway, and we could not help remembering that those Gentlemen who so applauded him are the men who, in season and out of season, have denounced our great leader as a traitor to his Queen. He is a patriot this week, and will also be next week; but when they get the money we know very well they will go down to their constituencies—to their Primrose League meetings—and begin their old game of denouncing the right hon. Gentleman as a disunionist and a disintegrator, and as an enemy of his Queen and country. Personally, I greatly regret that into this matter the personal element must enter. We Radicals will be compelled to speak of things we would rather not speak of, but I hope we will not speak in any way offensively. Those of us who have sat upon Town Councils and School Boards and other Boards know well that the most unpleasant debates are those connected with the salaries of servants; but, as very often happens, whatever blame there be does not rest upon the servants themselves, but upon the injudicious friends of the servants. And so now we have no fault to find with the Queen or the Prince of Wales—it is the men who have advised them—the Government, and the Government alone—whom we hold to blame. The right hon. Gentleman the Member for Mid Lothian said that neither the Queen nor the Prince of Wales has been at all precipitate in this matter—that it was generally on the coming of age of the eldest son that this claim was put forward, whereas the eldest son of the Prince of Wales is now 24 or 25. It is quite true that

this claim has not been made precipitately. Why? Because, no doubt, five years ago the Queen and Prince of Wales were better advised. A Liberal Government was in Office five years ago; and though it is true Liberal Governments have proposed Royal Grants, Liberal Governments are beginning to recognise that a great change is coming over the country, and that they have a very different set of men to reckon with than they had formerly. We cannot forget history teaches us that it has always been the Tories who have brought the Crown into danger, who have driven Kings and Queens into exile, or caused them to be taken to the scaffold; and so it is that though this claim has not been made precipitately, it is natural it should have been delayed until a Tory Government is in power. What we wish to emphasise is that we have no hostility to the Royal Family. We recognise the Queen as a great and good woman, and nowhere is her greatness and goodness more recognised than in Scotland, the country from which I come. We recognise the amazing tact with which the Prince of Wales discharges the duties of his office. In the different crises through which the country has passed during the last 20 years the Prince of Wales has never once slipped; and I have seen it stated in one of the gossip newspapers that His Royal Highness brings up his family in the belief that it is quite possible he may be the last King of Great Britain and Ireland. If he does so I can only say the probability is that not only his son, but his son's son, will sit upon the Throne of the British Empire. But though we say all this, though we admit that the people are loyal, the people's loyalty is very different to your loyalty. Yours is a kind of loyalty that is attracted by the splendour of the Court, and if there is any curtailment of that splendour, if there are too few balls and receptions, you at a show your disloyalty. The common people is real-ly not on the splendour of the great-ness by the Queen and the other Family. If any attended by classes, speaks

disrespectfully of the Royal Family, his remarks are listened to in silence or met with loud cries of shame. That is very right. But if the speaker attempts to talk of the Hereditary Grand Falconer, or the Master of the Buckhounds, or the Mistresses of the Robes, he provokes the laughter and derisive cheers of his audience; and that, surely, is quite right too. The Report of the Grants Committee sets before the ordinary English and Scotch voter the broad fact that there is some £500,000 or £600,000 at the disposal of the Court to keep up its dignity and splendour—£380,000 on the Civil List, £110,000 from the two Duchies, and £152,000 from annual Grants. What the common people say is "This is perfectly sufficient to keep our Royal Family in any degree of splendour that any one can indulge in; it is perfectly sufficient to enable them to compete successfully with the Courts of any nation of Europe." There is no cry of "Down with the Royal Family;" the cry is, "Down with the parasites who cluster round the Throne." We have a right to complain that the Report of the Committee does not give us the sort of information we want. It tells us about certain great officers—about the Lord Chamberlain, the Lord Steward, Lords in Waiting, First Ladies of the Bedchamber, and Maids of Honour, but what we want to know is, what are the names and addresses of these people in order that we may know whether they are people likely to render service to the Court, or to be merely ornaments. I find from a pamphlet printed by the Financial Reform Association that some years ago the offices of Lord Chamberlain and Lord Steward were held by noblemen. They received £2,000 a year each. I find that the Mistresses of the Robes were Duchesses who got £500 a year each. I find that the Ladies of the Bedchamber were Countesses who got £500 a year each, that the Maids of Honour were Ladies and Honourables who got £300 a year, and that Bedchamber women were actually Viscountesses. Amongst the daily waiters were Admirals and Honourables who drew £150 a year, and amongst the quarterly waiters were Colonels, Lieutenant Colonels, Majors and Esquires who did not think it beneath them to draw salaries of £100.

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Dr. .

The country believes that you are supporting this Grant not for the sake of the Royal Family, but for the sake of the offices in connection with the Court. This is a Vote not between the people and the Crown, but between the people and the aristocracy. I appreciated the remark of the right hon. Gentleman the Member for Mid Lothian as to the advanced age of Her Majesty, and as to the effect a change in her surroundings might have. But ought not the advisers of the Queen to have considered that point before they brought forward this proposal? Ought they not to have ascertained from the representatives of the Tory Democracy of which we have heard so much from the Members of the Opposition Front Bench, and even from Members below this Gangway, what the people would say about this proposal? If any words spoken in this Debate give pain to Her Majesty, no one will regret it more than Radicals like myself, but we do not consider ourselves to blame. You are to blame; you do the deeds and your unrighteous deeds find us the words. It is said that the Government knew perfectly well that this proposal would not be popular. Her Majesty requested Parliament to make provision for Prince Albert Victor, the eldest son of the Prince of Wales, and for Princess Louise of Wales on the occasion of her marriage. Well, but that would only have taken about £18,000 a year. Why is it we are asked to vote £36,000 a year? I suppose it is because you know that the proposal is a disagreeable one, and that you think you will by asking for a large sum get rid of the subject. Reference has been made to the necessity of savings on the Civil List, and I ask you, are you not tending to bring the Crown into disfavour in the country, simply because you do not care to offend those high officers and ladies who have got posts about the Court? As to the splendour of the Court, there is a great deal in what the right hon. Member for Mid Lothian said. It is quite true that the Court might do great good in the country, and if the Court is a good example to the country, the people say it is owing to the exceptional character of the Queen herself. But we cannot expect to see a similar Monarch on the Throne always. The influence of the Court is a malign in-

fluence; I do not speak of the Court's moral influence, but of its influence on politics. I have been at very few of your displays and receptions, but I confess they have had a very bad influence upon me. I have felt that if I wanted to keep my Radicalism intact I had better resign my Membership of Parliament. [*A laugh.*] I am glad to see it is recognised that Radicalism and the influence of the Court cannot very well go together; if we give in to the influence which we find round about us here, then so far as we are concerned, "Good-bye to Radicalism," and "Good-bye to the cause of the people." There is one point at which we Radicals come into decided conflict with the right hon. Gentleman the Member for Mid Lothian, and that is, when he says we are servants of the Crown as well as of the people. That is not the case with us. I am not a servant of the Crown. I am a servant of the people alone, "No man can serve two masters." Who am I sent here by? By my constituents, and if my constituents ask me to do a certain thing, and the Queen asks me to do another thing, as an honest man I must resign my seat and make room for another man if I cannot stand by my constituents. Our great leader is going to Vote against the Motion of the hon. Member for Northampton (Mr. Labouchere.) That was expected from the very beginning. The country has already discounted that, and it would have seemed to us Radicals unnatural if the right hon. Gentleman did anything else. We all know his great services and the close way in which he has been connected with the Crown; we all know the essential conservatism of his character, and how his endeavour always is not to cut anything through, but to piece the new to the old. He has decided that he must Vote in favour of further Royal Grants; but he will not lose one single supporter, he will not lose a little bit of our confidence by so doing. We do not know how our friends from Ireland are going to Vote. We recognise that they are in a very peculiar position. I was present at the great meeting on the Carlton Hill, at which the hon. Member for Cork (Mr. Parnell) spoke. In the course of his peroration the hon. Gentleman said that the working men of Scotland might be sure that in the

Division Lobby of the House of Commons they would find no more faithful servants than the Members from Ireland. I do not know how he has decided to vote upon this occasion. I know with what affectionate admiration and gratitude he regards our great leader, and it may be that he finds it necessary on this occasion to vote with the right hon. Gentleman. I do not suppose it will make much difference to his cause in the long run. But there are certain Gentlemen who have not the same excuse as the right hon. Gentleman the Member for Mid Lothian and the Members from Ireland for voting for this Grant, and the way in which they give their votes will be watched with considerable interest in the country.

MR. KERANS (Lincoln): The hon. Member who has just spoken commenced his observations by a sneer at hon. Members on this side because we cheered the great speech delivered by the right hon. Gentleman the Member for Mid Lothian last night. We did appreciate that speech, coming from a statesman who has passed half a century in public life, and who in his time has done the State some service. We recollected this, and remembered it was the day on which he celebrated his golden wedding, and we were only too glad to recognise what seemed to us a return to the time of his intellectual strength. Hon. Gentlemen opposite have differentiated between the Crown and the Government in regard to this question. The hon. Gentleman says of the Royal Family that he blames them not at all, but of the Government that he blames them completely, all in all, and, as I understand him, he assumes that this Resolution is brought forward without the assent of the Queen and the Royal Family; or, if that is not so, I utterly fail to see the relevancy of his remarks.

MR. PICTON: Sir, I rise to order. I ask you whether it is in order for the hon. Member to introduce the name of Her Majesty as approving or disapproving any measure whatever.

*MR. SPEAKER: There is an old rule, and a very salutary one, that the name of the Sovereign should not be introduced for the purpose of influencing debate.

Mr. A. L. Brown

MR. KERANS: If that is so, Sir, I beg to apologise very sincerely. I thought I had noticed in the course of the Debate allusions of this character made. ["Order!"] I bow entirely to your ruling, Sir; but I thought that, when the hon. Gentleman chose to make a pointed contrast between the Royal Family and the Government, the Rules of the House might have permitted me to make a reply. The hon. Member has talked of this side of the House as being representative of aristocratic influence; but surely he ought to be aware, although he is not much in the House, and cannot, therefore, have intimate knowledge of the subject, that what he calls the aristocratic element exists as much on one side of the House as the other. Certainly I can make good my claim to have been elected on a purely democratic representation, and I can further say that there is no man in the House who looks with more jealousy on any increase of aristocratic influence than myself. If the exigencies of the Public Service demand that a man shall be placed in a certain position because his means and manners are superior—I am only contrasting such with myself—if it is considered that such a man is the best person to occupy a certain position, I cannot complain of the selection made by the Government, nor do I see how hon. Members can complain, when they have declared that they could not accept the uniform and salary of State service. Hon. Gentlemen opposite should be the last persons to complain that positions which they declare would be derogatory to their manhood and independence, and so on, are filled by gentlemen who belong to the aristocratic class. The hon. Gentleman has talked of the malign and corrupting influence of the Court, but I confess I do not see much evidence of such a thing. It reminds me of an accusation that was once made against the hon. Member for Kirkcaldy, that in consequence of having accepted an invitation to a luncheon at Rome, he gave a vote in this House against his conscience. And now a few words in reference to the general character of the proposal before us. We have had precedent after precedent cited, but the hon. Member for Northampton and his friends refuse to be influenced by these.

The hon. Member, though not a solicitor or barrister, has had considerable experience of the law, and I should have thought would have recognised the binding effect of contracts, of debts of record, and of debts of honour. Between private individuals a debt of honour is recognised as binding in the highest degree, and I cannot conceive of any higher obligation of honour than that which was cast upon the nation by the compact between Parliament and the Sovereign. Over and over again it has been asserted that there was no such compact between the nation and the Queen, but I have listened in vain from first to last for any single word in corroboration of that assertion. The absence of any limitation upon the Grants to be applied for would show to any reasonable man that no limit was intended. As the question of the savings of Her Majesty has been introduced, I presume I may refer to that matter. I conceive there are a certain number of Gentlemen in the House—I hope I am doing them no wrong—who would prefer that a Minister should come to this House and ask for a sum of money to pay the Queen's debts, instead of asking for an allowance for the children of the Prince of Wales, and they regret that the Queen has made savings. [*Cries of "No!"*] I am glad to have that disclaimer, and I hope it will be repeated in the country. I do not wish to attempt to introduce anything invidious, but the hon. Member who last spoke did undoubtedly misinterpret the motives of his political opponents, declaring that the Ministry were afraid to come to the House and ask for £18,000 for Princess Louise, and for Prince Albert Victor, because they know these sums would be granted. But the reason why the Government made their proposal as they did was there might be some finality about the demands. It was perfectly well known that right hon. Gentlemen opposite had declared they could not acquiesce in further Grants unless the whole matter was concluded at once. Last night we had an admirable speech from the youngest Member of the House (Mr. Birrell) who declared he came from a constituency where this matter had been thoroughly canvassed, and that his constituents were utterly opposed to the Grant, and he treated

West Fife as fairly representative of the Scotch constituencies. He put the question on very broad grounds, and he argued it remarkably well. But what I want to know is this, was the hon. Member returned to this House by a larger majority than his predecessor or was that majority smaller? It is obvious that the views of the constituency must have undergone considerable modification if he was returned by a decreased majority. Now, in conclusion, let me ask are hon. Gentlemen opposite very strict guardians of the public purse? I recollect not long ago we had a remarkable demonstration in this House upon the occasion when it was proposed by an hon. Member opposite that Members of this House should receive salaries of £275 or £375 per annum. In support of this hon. Members trooped into the Lobby with the greatest alacrity, and when they returned and found there was only a majority of 40 or 50 against them, loud and continuous was the cheering. But how does this accord with the sentiments expressed by the hon. Member for Sunderland (Mr. Storey) as he commented in his most bitter way upon the contrast he drew between the condition of Court and cottage. Well, what is good for the Court ought undoubtedly to be good for Members of this House. If hon. Gentlemen claim to represent the class whose average earnings are 25s. or 30s. a week, what do they mean by coming here and attempting to secure for themselves comfortable annuities? I consider that in all respects the application made by the Government is most reasonable, and I thoroughly believe that when the matter is placed before the constituencies in the speeches of the right hon. Gentleman the Member for Mid Lothian and the noble Lord the Member for Paddington, the people will endorse the judgment the House will pronounce.

MR. PICTON (Leicester): Many hon. Members on the other side have expressed enthusiastic admiration for the marvellous speech delivered last night by the right hon. Gentleman the Member for Mid Lothian. To us who are consistent admirers of the right hon. Gentleman's genius and services to the country it cannot but be a pleasure that on any ground his genius should be appreciated by the Party opposite,

but it is remarkable the difference that is made by the point of view from which an artistic oratorical performance is considered. The same right hon. Gentleman when discoursing on other great Imperial principles has been ridiculed as speaking only vague mysticism, as having no definite ideas, as soaring in the clouds and having no relation to practical politics, but the moment he happens to speak in partial support, and only in partial support, of the policy of the Party opposite, he is seen to be a statesman of marvellous acumen, profound historical knowledge, and keen appreciation of the constitution of the country. Well, I hope the lesson will not be lost, and that when the time comes to consider matters quietly hon. Members will arrive at the conclusion that the right hon. Gentleman who on this occasion has shown such profound knowledge, and keen appreciation of the historical development of his country, cannot be such a political lunatic as he has been represented to be on other matters. The hon. Gentleman who last addressed us informed us that he was not an aristocrat. I should not have thought the disclaimer was necessary, but he thought it necessary to give us the information, and I suppose he intended to intimate his sympathies with the democratic masses of the country. He has shown his sympathy by defending liveried officials, as I think he called them. I do not know whether he was quoting the phrase.

MR. KERANS: I did not so designate them.

MR. PICTON: I understand he was surprised that we should object to these offices which involve certain courtly attendances that are not considered identical with the highest statesmanship. I think I am right in interpreting his meaning. Well, we do not object at all to the offices of any noble Lords, right hon. or hon. Gentlemen if they like to fill them. What we do object to is paying salaries for these offices. The hon. Gentleman went on to speak, I presume from legal knowledge of various kinds of debts, debts of record, and other kinds of debt, and has placed above all a debt of honour. Well, the expression "debt of honour" is very often used to describe a debt that cannot be legally enforced, because it arises out of an illegal transaction, so that the

association of the phrase was a little unfortunate as bearing upon the question before the House. In the view of the hon. Gentleman a certain sentiment of honour should lead Members of this House to vote any sum asked for by a Minister in support of the honour and dignity of the Crown. Now there are debts of honour, so called, to which no particularly binding character attaches beyond legal debts, and I do not think that the debt of honour resting on the action of a Committee of this House at the commencement of the reign has that binding character the hon. Gentleman seems to imagine it has. Then the hon. Member went on to speak of the speech of one of the newest and in our opinion most welcome additions to the Members of the House, the hon. Member for West Fife, and he said it must be borne in mind the majority with which that hon. Member was returned, and he wished the House to infer that the smaller majority compared with the last election by which the hon. Member was returned showed a diminution in the force of Liberal opinion in West Fife. But he altogether ignored the fact that the hon. Member for West Fife was not opposed by a Tory at all, that he was opposed by a Home Rule candidate, who, if he had been returned, would have voted against this Royal Grant and expressly said so. The difference of the majority in that constituency, therefore, has no bearing at all on the question before the House. But I turn to the more important speech of the noble Lord the Member for Paddington. I should like to say something in reply to the noble Lord, who thought it necessary to make to a considerable extent a direct personal attack upon so humble an individual as myself. I regret that the noble Lord is not now in his place, but although he is absent, I am sure he will allow that that does not preclude me from saying a few words in reply to him. The noble Lord came down to the House this evening having evidently familiarised himself on good authority with the agricultural economies of Sandringham, doubtless one of the most admirably managed estates in the country; but I could not exactly see the bearing of his references to the Sandringham estate on the question at present before the House. The argument seemed to be that because an illustrious personage was an

Mr. Picton

excellent landlord and managed his estate well, and with a view of bringing out its productiveness to the utmost extent, therefore the House of Commons should at once accede to the claims of the Ministry and vote this Grant. Now, I confess I do not see the relevancy of that argument at all. But though the noble Lord had made himself familiar with the economies of the Sandringham estate, he did not show himself equally familiar with the sources of historical information drawn upon by the junior Member for Northampton. I could not but think that as an attempt to meet that grave and well sustained charge against the advice given by Her Majesty's Ministers, the speech of the noble Lord was an exceedingly weak one. It struck me as rather strange that the noble Lord waited until the hon. Member for Northampton had spoken. I remember the occasion in the House when the noble Lord proposed personally to perform that somewhat dangerous office of drawing the badger, and perhaps hon. Members will remember how he drew the badger, but on this occasion the noble Lord waited judiciously until the badger retired, and afterwards tried to make as light as possible of the badger's teeth. As I have said, I do not think the speech of the noble Lord was at all effective as a reply to that of the hon. Member for Northampton. I would like to refer to one or two items in that reply. The noble Lord said that in the settlement of the Civil List the burden of keeping children or grandchildren of the Royal Family was never contemplated at all, and he said that because it is not expressly mentioned in the Civil List Act. Well, I should have supposed that Royal persons are liable to the ordinary incidents of humanity with other persons; and, everyone knows that children are the usual consequences of marriage in palace and cottage; and surely when the Civil List was drawn, having in prospect such events as marriage, it may well be supposed that if it had been intended that extra Grants should be made, some provision would have been made for the purpose. From the silence of the Act, we are asked to argue that the intention was that these Grants should be made; but I rather take the opposite view, that from the silence we

should argue that it was intended no more Grants should be made, and especially as we were reminded by the First Lord of the Treasury in introducing this Motion, that on the occasion of the settlement the then Chancellor of the Exchequer, Mr. Spring Rice, distinctly said, he hoped the settlement would be such that there would be no recurrence of appeals to Parliament for additional Grants. What was intended by that, unless it meant that the Grant then being made was sufficient for the maintenance of the dignity and honour of the Crown? Then the noble Lord said that no notice had been given to the Queen of any change in the course that had been followed in preceding reigns—in a few instances. No notice given! But I do not know what would be considered notice. If the noble Lord means that no legal notice has been given, that is true. But we are not considering the terms of a leasehold, or a tenure under which a definite legal notice is prescribed. The settlement of the Civil List has been made from time to time in different reigns, on different methods, from age to age with no indication whatever that precedents were being established for future time. As times have changed—and upon this I shall say a word or two more presently—as times have changed, I say, it has been made manifest to Her Majesty's Ministers, and most emphatic notice has been given to all that were responsible, that a large Party was growing up which would not tolerate these demands for money any longer. It is well-known, that even with regard to the children of Her Majesty difficulties have arisen, and those difficulties have increased as additional Grants were asked for. I have not had the misfortune to be present at more than one of these somewhat discreditable Debates, but I know that on the last occasion when a Grant was asked for a considerable difference of opinion was shown, and strong evidence of increasing dissatisfaction displayed, and surely right hon. Gentlemen must have understood this as indicative of notice that a change must be made in the method of supporting the honour and dignity of the Crown. And I think the Government are to blame for not having sufficiently estimated the notice given. No one can deny that it is given now. I

have heard hon. and right hon. Gentlemen get up and say we misrepresent the opinions of our constituents on this question, and that we represent only a small section of them. Well, I invite any hon. or right hon. Gentleman opposite to go into any market-place in any large town and there hold an open meeting in favour of these Grants. They know they dare not do it. They can go and hire a hall and issue tickets of admission, and by so doing ensure a nearly unanimous vote, but at a large open meeting I defy them to obtain a vote in favour of these Grants. It does not do to trifle with this question. Hon. Gentlemen know quite as well as I know that amongst those in this country who have supreme power in their hands, but who have not yet exercised it as they ought to do—I mean the household voters—this subject is one which excites more popular feeling than any other. The noble Lord the Member for Paddington stated that the title to the Crown estates is absolutely indisputable. In a certain sense no doubt it is; but the legal title is of such a character as to be quite inconsistent with the moral use which is made of it by hon. and right hon. Gentlemen on the Ministerial side of the House. No doubt since the accession of George IV., the Act passed at that time has rendered the title of the Monarch to the Crown Lands legal. By an accident or, as my hon. Friend the Member for Northampton suggested, by some cleverness on the part of the draftsman, this clause was introduced and, I suppose, as a matter of statute law, it stands. Now suppose we were to have a new Monarch—which heaven forbid—it would be held that these estates would instantly revert to him as of right. Now, I ask this; before any new Civil List is passed, or any “surrender,” so called, is made, would the new Monarch sell this patrimony of the Crown? Would any Monarch attempt to sell Hyde Park or deal with the Crown estates as any one might deal

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can draw any moral argument as to the claims of the Crown. The fact is, the possession is merely formal and not substantial. Then with regard to the savings on the Civil List, it may be thought rude to ask whether these savings of the Crown are the savings of the nation or not, but the responsibility for that must rest with Ministers who allowed this accumulation of property. I should be sorry that any rude question should be asked in this House, especially about a matter so delicate as this, but really I think this is a question which ought to be answered. It is urged that if savings are made the Ministers of the Crown may devote them to the personal use of the Sovereign at their discretion, simply because it is not forbidden in the Act of Settlement. Well, no doubt the Act of Settlement provides that a deficiency in one class may be met by a surplus in another; but it was never said that a surplus on the Civil List as a whole might go into private possession. It is a straining of the law on the part of Ministers to advise the devotion of any surplus in such a way as that. It should be remembered that the money voted is the money of the nation, and if there is a surplus it seems to me that it ought to be returned to the Exchequer. On the whole, I cannot but think that the Member for Paddington has made out a very weak case against the junior Member for Northampton. Taking a more general view of the matter, I do not think there has been a sufficient appreciation on the other side of the House of the disastrous effect of the failure of the Government to give an impartial Committee to consider this question of the support of the honour and dignity of the Crown in accordance with their promise. It is now many years since that promise was first given by a Liberal Administration. The promise was taken up by the present Ministry. From time to time we were told that the matter was under consideration and would certainly be attended to. We were told this year that there was no immediate need for appointing the Committee, the matter not being a pressing one; and now, at the very end of the Session, when we are all tired out, the question is suddenly pressed on our attention, and a Committee is suddenly summoned to deal with two entirely different matters—

namely, the general system to be adopted in supporting the honour and dignity of the Crown and the special Royal Message. The two things are entirely different, and ought to be separated the one from the other. We have not had an inquiry. It cannot be supposed that this Committee meeting for two or three days went thoroughly into the subject. Their Report, in fact, shows that they did not go thoroughly into the subject any more than the Committee did in 1837 at the time of the accession of Her Majesty. There was no thorough inquiry into the necessities of the Crown at all, and in place of an inquiry we now have a wholly irrelevant appeal to sentiment. We are called upon by our loyalty, by our chivalry and patriotism, to vote this money without any consideration at all, and all, it is said, for the honour and dignity of the Crown. Well, Sir, I do protest that we are not indifferent to the honour and dignity of the Crown on this side of the House. Whatever may be our opinion as to the abstract theory of Republicanism or Monarchy we, as Englishmen, venerate the Throne of this country as an ancient institution, surrounded with a certain halo of glory from its centuries of rich associations. We are anxious for the honour and dignity of the Crown, and the only difference between us and Gentlemen opposite is as to in what the honour and dignity of the Throne consists. In obedience to your ruling, Sir, I desire altogether to avoid mention of the name of the reigning Sovereign. I think it in the highest degree inexpedient that it should have been introduced even to the extent that you, Sir, have seen your way to allow. I do not desire to speak of any personal occupant of the Throne, but merely of an institution, and I ask what tends to the honour and dignity of the Crown as an historic institution? Surely the honour and dignity are not kept up by empty palaces, by servile sinecures, by gold and silver sticks in waiting, or by masters of hounds; they are best supported by adequately filling the post of Hereditary President of this British Commonwealth; they are best sustained by impersonating the living characteristics of this country in each age and in each generation through which we pass; and it is a great delusion to suppose that the dignity and honour of the

Crown are necessarily dependent upon external show. It should be remembered by hon. Gentlemen opposite—and it has not been sufficiently remembered in the course of this Debate—that the Monarchy is not merely the head of society with a capital “S,” but the head of the whole State and the Commonwealth. The Crown in a very proper sense belongs to the people, and they are anxious, therefore, that the honour and dignity of the Crown should be sustained in a way that appeals to the millions of the population. The other side say they desire this just as much as we do. Yes, they do. They desire that the Crown should represent the nation, but they a little undervalue or altogether ignore the modernising process that must affect all the most venerable institutions of our country—the Crown as well as the Church and even the Lord Mayor of London. You cannot resist it. We have modernised the Crown in successive generations. The Crown used to undertake the whole business of the country with only occasional aid granted by Parliament, which used to meet very seldom—only, in fact, when need of money arose. Ages afterwards the sustentation of the Military Force of the country was placed entirely on the shoulders of Parliament, the Civil Government being still maintained by the Hereditary Revenues of the Crown. Then, gradually, the Crown resigned some of its duties, and with them the revenues that were to support the discharge of those duties. I suppose, for instance, that in the reigns of the early Georges there were certain gratuities paid to the Lord Chancellor and higher Judges, all of which came out of the Hereditary Revenues of the Crown. Afterwards the whole of the expense of the administration of law was placed on the shoulders of Parliament, and the Civil List was confined to what were considered the personal requirements of the Sovereign. But notwithstanding all this change the same antiquated forms have been gone through in making Grants to Her Majesty. The Monarchy is no longer a sacred caste, or the representative of a sacred caste, as it used to be in days gone by. The right hon. Gentleman the Leader of the House in his speech referred to “sacred institutions.” Well, Sir, I have heard the Church spoken of as a sacred institution, but I have never heard the Monarchy

regarded as anything more than a secular institution—a venerable institution if you like, but I think that to use the word “sacred” is to use an epithet which, in connection with such an institution, savours somewhat of superstition. The Monarchy is not the representative of a sacred caste. It represents rather a great office, and the sooner we come to understand that clearly the better. We pay our high officers of State by salary, but we do not undertake to provide for their children or grandchildren. We pay a fair amount annually for the work done, and we expect the dignity and honour of the offices to be maintained thereby. Whether or not the time has arrived, at any rate it is soon coming, when the same rule will have to be applied to the Monarchy. Before long a lump sum will have to be given year by year to sustain the honour and dignity of the office, and there must be no talk about any extra amount to support children or grandchildren. It is such an arrangement as that, and that alone, which will satisfy the people of this country. We are told that the Crown of this country ought to be surrounded by a certain amount of splendour. No one doubts it. We all like to see splendour at the Horse Guards, and elsewhere—it gives a certain amount of enjoyment to a great many people. But we imagine that if present resources were now used as they ought to be used there would be ample funds for all the splendour that we need. That is our view. The Party opposite regard themselves as especially loyal. They look upon themselves as in a special manner the supporters of Crown. Now, I ask them, how are they succeeding? Are they making the people of this country love the Crown more than they formerly did? I ask them to note the demonstrations of opinion on every hand throughout the country at the present moment. I ask them whether the signs they see show that they are succeeding in supporting the dignity and honour of the Crown by the method they are now adopting? I have been reproved more than once, even amongst my Radical friends, for speaking of the Republican tendencies of the people. Well, I will give my own experiences. Only a fortnight ago there was an open air meeting in the market place of

Mr. Pictou

Leicester. I told the people there that I had been accused of misrepresenting their opinion. Well, although there were thousands present, there was but one response. I was assured that, so far from misrepresenting the people, I had under-represented them. And there is this strange thing to be noted in my experience—namely, that when I am in Leicester I am regarded as an extremely moderate, almost a Conservative, person, whereas in this House I am looked upon as a wild and unreasonable Radical. I think the people of Leicester are fair representatives of the kind of democracy that is growing up in this country, and I can assure the House that out of a multitude of about 7,000 people who assembled in the market place of Leicester there were certainly not 1,000 people who were supporters of a Monarchy as distinguished from a Republic. That is an actual fact which the House ought to bear in mind in coming to a decision upon the matter. They look upon Royalty as a convenient system for the present, to be continued until public opinion has so ripened that without any of those horrors pictured by the noble Lord opposite a reasonable change may be brought about. Therefore, we think we are the truest patriots and the best interpreters of our country in insisting upon it that the time has come when no Monarch should apply for an additional grant, but should, like other great officers of state, receive ample payment, and out of that maintain the requisite honour and dignity.

MR. AINSLIE (Lancashire, N. Lonsdale): I only venture to take part in this Debate, as there have been one or two omissions in the defence offered for this Grant. At the outset, I would observe that it was stated the other day that some 40 Members on the other side would assail this Grant. Well, if there were 80 or even 100 Radical Members who desired to address the House in opposition to the right hon. Gentleman the Member for Mid Lothian they would not destroy the effect of the great speech delivered by the right hon. Gentleman last night. But I will not dwell upon that. With regard to the form of this Resolution, I regret that it was not divided into two parts so that we could distinctly separate the proposal of the Government from the proposition of the senior Member for Northampton (Mr.

Labouchere) that we should economise and cut down certain expenses in the Civil List. The country is committed to the latter proposition, and I think it need not have formed a topic of debate in this House last night or to-night. On the other subject, I hope the verdict of the House will be clear and deliberate and unanimous. To draw attention to another matter, I am somewhat surprised that no reference has been made to the larger population outside these Islands, which is waiting anxiously for the decision of this House. No reference has been made to that large population which annually sends its thousands over here from the Colonies to see what the old country is like. Nor has any reference been made to the still greater nation—the United States of America—who, I believe, are listening in wonderment and something like amusement to the language which is being employed in this House in derogation of that Monarchy which they admire, I believe, even more than we do. I believe you will find it the unanimous verdict of travelled Americans that our Monarchy is an institution worthy of the greatest admiration. An objection has been raised this evening that no Commission of Inquiry has sat before now to consider this subject. Well, it appears to me that those interested in this question must have had in mind the probability of an early appeal from the Crown and the necessity which would arise for making a final settlement. I hope the House will not decline to recognise the claims of the Crown in this matter, and I venture to think if the speech of the hon. Member for Leicester (Mr. Picton) be considered in contrast with that of the right hon. Gentleman the Member for Mid Lothian, the House will have very little difficulty in arriving at a verdict on the subject. An hon. Member, the latest arrival from Scotland (Mr. Birrell), who spoke last night, stated that he had the verdict of his own constituency with him, and he spoke of having received a mandate from that constituency. But I put it to the House, is it not sometimes the duty of an hon. Member to act in accordance with his own view rather than with that of his constituency? In my opinion, any mandate he had received should have been used by him more in the

direction common both to Englishmen and Scotchmen of seeing that due honour is paid to the Crown, and in that case he would not have come here to say “no” to this Grant, which, as the House is aware, is intended to be a final one.

*MR. LAWSON (St. Pancras, W.): It is with great diffidence that I rise to intervene in this Debate. I do not propose to follow hon. Gentlemen who have spoken from those Benches either in scriptural prophecy or the parallels drawn from stories of Roman history; and, although I fear that many of the speeches made in the course of this Debate are open to the charge of containing a good deal in the way of personal explanation, I feel bound to state why it is my intention to vote against the Amendment proposed by my hon. Friend (Mr. Labouchere) and seconded by the hon. Member for Sunderland (Mr. Storey) who generally sits behind me. I am quite aware that in the course I propose to take I ought to have the fear of the hon. Gentleman the Member for Sunderland before my eyes. We all listened, I suppose, with admiration to the grandiloquence of the hon. Member's speech, and he informed the House that we who take this course of action will be met by two parties in our own ranks—one which will look up to the right hon. Gentleman the Member for Mid Lothian as its Leader, the other looking to himself. But, Sir, I confess that although impressed, I was not intimidated. I take, with a grain of salt, the assertion he made, that he was the Representative of all the honest and decent people in the country. The hon. Gentleman drew a nice distinction between them and the common people, to whom he kept referring throughout the whole course of his speech. He is, no doubt, a democrat of the democrats, and if I might advise him I would not talk so much about common people and their common homes as he did. For my own part, I confess that I should be quite ready to face my constituents and protest against the notion that I was ever returned to this House to be one of the Storeyite following. Mr. Speaker, it would, perhaps, be well to recall the attention of the House to the Amendment we are now discussing. We have already wandered a good deal from it, and the hon. Gentleman the Member

for Northampton actually got upon the subject of perpetual pensions. What the House is asked to do by adopting this Amendment is to meet the Royal Message with a curt, a blank, and even a rude refusal to allow it to be considered by Parliament. According to my hon. Friend (Mr. Labouchere) the more curt we are the more courteous we are; but I do not think that is an axiom which my hon. Friend applies in his own private relations. My hon. Friend and his Colleague were not happy in the examples they gave in justification of the course they are taking; they seem to me to be what the right hon. Gentleman the Member for Newcastle termed "rather prior facts than precedents." The hon. Gentleman the junior Member for Northampton (Mr. Bradlaugh) said "This was the conduct of Parliament in 1621."

*MR. BRADLAUGH: The hon. Member is not within a century of it.

*MR. LAWSON: Well, I wish to recall the hon. Gentleman's own words. He spoke of the time when the people tore out a page from the annals of Parliament at the beginning of the struggle between the Stuart Kings and Parliament, and I think, as a matter of fact, I am perfectly correct in my references to his history, although the hon. Gentleman has interrupted me. He went on to quote some of the strong language used by the Tory Party at that time, when the Tory Party were Jacobites. I, however, am not a Jacobite. I know, Mr. Speaker, that no one would be more surprised than my hon. Friend the Member for Northampton (Mr. Labouchere) if this Amendment were adopted by a majority of the House. I give my hon. Friend too much credit for the undoubted sense and shrewdness for which he is famous to suppose that he entertains any such expectation. I suppose, also, there is no Member of this House who will contend that he is not responsible for his vote, if it is effective in carrying the Resolution for which it is given; otherwise a certain air of unreality is given to the Debate. I do not believe that any hon. Member, wherever he sits, would wish to inflict the rebuff upon the Throne which the passing of this Amendment would mean. I cannot imagine that it is to the interest of any part or section of the House. Certainly it is not to the interest of hon.

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Gentlemen who sit on these Benches. Some of us might be, as my hon. Friend the Member for Leicester (Mr. Pictou) has stated, genuine Republicans in theory; but if they are opposed to the idea of an Hereditary Kingship, it is far better for them to declare their opinions boldly than to gain all the credit and escape all the odium by a side-blow. That is not the position of the great majority of the Liberal Party. I would remind hon. Gentlemen on this side of the House that they are continually emphasising the political importance of the Crown as the golden symbol which binds together the Imperial system with the fullest application of the principle of local self-government. This is particularly the case in the Debates on Ireland, when the fact of the existence of the Crown as the real and effective bond of union is brought forward as an argument for the extension of local freedom. If that be so, I do not believe it is to the interest of hon. Members on this side of the House to try and inflict an affront on the Throne, because if the question is to be raised let it be raised fully and fairly; let it be raised on quite distinct grounds. Insufficient weight has been given by hon. Members on this side of the House to the argument and line of action of the right hon. Gentleman the Member for Mid Lothian, who on this question has just the knowledge that ought to guide the House, because, above all things, this is a Constitutional problem, and is not being approached as a financial question. Let us not deny to a Message from the Crown that courtesy which is extended to any application of everyday life, and I am bound to say that those who follow the lead of the right hon. Gentleman will be wrong in not taking advantage of the Constitutional wisdom of which he has given so many splendid examples to his Party. At the same time, I am astonished that the Government have not thought fit to appreciate that advice by accepting the Amendments the right hon. Gentleman proposed in Committee. The Government have found in him a champion whom it is impossible for them to discover on their own Benches. It is said that the dispute between them was one of words only, and that the right hon. Gentleman the Member for Newcastle was only beating the air in his argument last

night. If it is believed that this Grant is to be absolutely final for all time, the clearer that fact is stated the better. I could hardly believe that in any part of the House an hon. Member would now advocate the extension of the obsolete precedents of giving grants of money to the grandchildren of the Monarch other than the children of the Heir Apparent. I myself can say that I am not in favour of extending it one inch beyond the Heir in direct succession to the Throne. I dare say there are other Members on this side of the House who may take that view. If that be so, I want to ask the Government whether there is any object really in fighting over words, and what object there could have been in rejecting the Amendments which were put up stairs by the right hon. Gentleman the Member for Mid Lothian, and adhering to the phraseology which they themselves have put forward. I am bound to say that I do not entertain the same fears which have been expressed by Members on this side of the House. I cannot imagine, from the assurance given in the 14th paragraph of the Report, that any Minister can have the effrontery to come to this House and ask for any further grant of money for members of the Royal Family. I am perfectly prepared to believe that this pledge is a genuine one; and it is admitted that when there is a re-settlement and a re-arrangement of the Civil List the whole matter will have to be re-considered, with a view to the surplus on charges now shown. I myself am entirely with my hon. Friend in believing that there is immense room for economy and saving in the Civil List. But I would point out to him some of the difficulties. It would be easy enough to gain a certain amount by the abolition of high political offices about the Court which are given to the supporters of the Government of the day, but directly you get below the first rank you have to solve some very awkward problems of superannuation and compensation claims. I have seen something in the last two years of the work of re-organising the Government Offices; but I believe the re-organisation of the Household would be a much slower and more complicated and more expensive business than some Members of the House are apt to think; and if that be so, the Government should try as early as possible to appoint

Committee—as the right hon. Gentleman himself thought was advisable before the last moment came upon them—in order that there may be a full and careful investigation of the whole of the charges upon the Civil List with a view to their retrenchment for the sake of the public purse. Happily there have not been during this reign those appeals in respect of debt so common in the time of George III. Sir Erskine May said that the condition of the Civil List at that period was one of hopeless debt, the whole paid by Parliament during the reign amounting to £3,398,000. I am not one of those who are inclined to blame the Royal Family for having husbanded their supplies well. I think it would be a pity if the Government were to leave this matter so that they would have to adopt the same hurried course of procedure as they have followed in the present instance. They have placed this House and the Crown in a somewhat unpleasant position. I hope they will be wise in time. They must now see the folly of having postponed the appointment of the Committee so late, and they should certainly take advantage of their experience in the present instance, and as soon as possible appoint either a Royal Commission or a Select Committee that can carefully and deliberately investigate the subject, in order that such a saving may be effected as will assuage what my hon. Friend the Member for West Fife called the “fever of the public mind.” Mr. Speaker, I do think that the importance of this subject has all through been somewhat exaggerated. I cannot believe with my hon. Friend the Member for Leicester that the popular mind is so deeply stirred that everything will turn upon this in the future, and that we are really condemning ourselves and vacating our seats by the course of action which those who think with me are about to take to-night. It is really a small matter magnified into the proportions of a large and critical one. It seems to me to illustrate most admirably the peculiar faculty of this House for straining at gnats and swallowing camels. When it is a question of changing a Legation into an Embassy, or of establishing a new Department of State which involves at one fell swoop an expendi-

ture of far more than is sought in these Grants, the House takes no notice of it beyond spending its time in futile and irrelevant criticism in Committee of Supply. But undoubtedly this question does possess capabilities for self-advertisement such as are not presented by ordinary topics. [*Cries of "Oh!"*] I am not saying it with regard to one side or the other. I fully believe that it would be used by the other side at election times in order to present a political issue, such as the question of a Republic *versus* the Monarchy. I am not leveling this at the heads of my hon. Friends. But undoubtedly this is a sort of question which possesses so much public interest as to admit of a good deal of self-advertisement. That, perhaps, is the reason why the controversy is to be prolonged to such a length in this House. While I think it is absolutely necessary that there should be an early inquiry into the charges on the Civil List, with a view to their thorough readjustment and reform, still if it is worth while to keep the Throne, it is worth while to treat it with respect. It is not merely a refusal to consider the Royal Message, it is not merely a question of respect to the Throne, it is a question of the self-respect of this House, and for that reason I am going, strange though it may seem to hon. Gentlemen sitting around me, to follow my Leader into the Lobby to-night to give a vote against the Amendment of the hon. Gentleman who sits here.

THE MARQUESS OF HARTINGTON (Lancashire, Rossendale): I entirely agree with the hon. Member who has just sat down in the opinion that too great importance has been attributed to the question we are now discussing. It does not appear to me to be a question of such intrinsic importance, or one which so greatly excites the public mind, as has sometimes been represented to me. It seems to me not a very large issue, and for that reason the speeches which have been delivered upon the side of the question I am going to take by the right hon. Gentleman the Member for Mid Lothian and by the noble Lord the Member for Paddington this evening, appear to me not only to have pretty nearly exhausted all that is to be said on that side of the question, but to

have furnished a very ample and sufficient reply to anything that has been urged against it from the other side. I concur with the noble Lord the Member for Paddington in the opinion that a great deal absolutely, or, at all events, relatively, irrelevant has been introduced in the course of this discussion. The hon. Member for Northampton, who spoke this evening, has devoted a great deal of time to the examination of questions which do not appear to me to be relevant in any degree to the issue immediately before us. The question whether there has been an actual transfer by the Crown of the Crown Lands and other revenues, in consideration of the granting of a Civil List, will be a question which will be very fit and proper for discussion when another Civil List is under the consideration of this House; but it does not appear to me a question bearing immediately upon the issue before us. I do not intend, Sir, to enter upon a discussion of that question, but I must say it appears to me a feat that would tax the ingenuity and legal acumen of the greatest lawyer in this House to prove that there has been no surrender of the Crown Revenues, and that no surrender is involved in that Act. Whatever may be the historical researches which the House may obtain to convince it on other cases, I do not understand how the two hon. Members for Northampton, when it has been specifically enacted in two Acts of Parliament that the surrender has been made of certain revenues of the Crown, can deny that the Parliamentary title to those revenues has been established, and that something in the nature of a transaction or a bargain in the return of the Civil List has been entered into between the Crown and Parliament. Sir, the noble Lord the Member for Paddington has complained that the hon. Member for Northampton assumed in his address to-night an attitude of a somewhat pedagogic character. It appears to me that the hon. Member has assumed not only an attitude of a somewhat pedagogic character, but also an attitude of a somewhat minatory and dictatorial character. The hon. Member has introduced topics into his speech to-night which not only appear to me to be irrelevant to the issue before us, but which, if his arguments and assertions are to be made good, would go very far

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beyond the contentions which he was engaged in supporting. If it be true, as the hon. Member has asserted, that the present Ministry and former Ministries have been guilty of a contravention of an Act of Parliament in permitting surpluses which have accrued on certain classes of the Civil List to be devoted to the aid of the Privy Purse of the Sovereign, that contention would go a great deal beyond the refusal of the Grant asked for on this occasion. It would go a long way to establish a case for the impeachment not only of the present Ministry, but of former Ministries who have permitted such a misappropriation of the public revenues. If, again, as it has been contended by the hon. Member for Northampton who moved this Amendment, there is a right to go behind the Act of Parliament which settled the Civil List for this present reign, if there is a right to inquire into the propriety of the expenditure on the Civil List of various branches of the revenue, that seems to me to go a very long way beyond the subject of our present discussion. The hon. Member himself has admitted that in the present Parliament we have no right to interfere with the Civil List as established in the first year of the reign of her present Majesty. He says that so long as the present reign continues we are pledged to the payment of £385,000 a year, and I do not understand that he contends for a moment that Parliament has a right to interfere with the various classes into which the expenditure has been distributed. What is the nature of the hon. Member's demand? He admits that Parliament has no right to interfere with the Civil List as at present settled. He wished us to tell the Sovereign that unless Her Majesty, in the 52nd year of her reign, and the 70th year of her life, chooses either to initiate or become a party to the vast and sweeping changes in the expenditure of the Civil List, Parliament will refuse to do that which Parliament has done during the whole period of the Hanoverian dynasty—that which Parliament has done during the 50 years of Her Majesty's reign—and will refuse, if Her Majesty does not consent to such a revision of the Civil List as he thinks possible, to make that provision for the other branches of the Royal Family which Parliament up to

now has never refused to make. The hon. Member for Northampton who spoke to-night has also reproached the Government for not placing before the House and the Committee adequate information as to the total cost of Royalty. If that charge can be sustained it might justify censure on the Government, but it in no degree justifies the opposition to the demands which are at present made. Now, in the observations I am going to make, I am not going to refer to the subjects which have been made the most prominent features of this Debate; I am going to speak mainly as a member of the late Committee which inquired into this question, and I am afraid the topics on which I shall have to deal will be of a far less interesting character than those raised by the hon. Member for Northampton to-night, and dealt with in his brilliant reply by the hon. Member for Paddington. Fault has been found with the Committee because it did not make any recommendation to the House which would insure finality in regard to all these matters. My hon. Friend the Member for Bedford said last night that the recommendations of the majority had no finality—the only proposal they laid down was the absolute right of the Crown to demand Parliamentary provision for the younger branches of the Royal Family. It is no doubt true that the Committee which has recently sat was directed to inquire, amongst other matters, as to the principle of the provision for members of the Royal Family which it is expedient to adopt in the future. I maintain that the Committee have inquired into that part of the Reference, and have made recommendations upon that part of the Reference in so far as it is necessary or desirable under present circumstances. On this point of view it may be useful to inquire what was the origin of the idea of the appointment of a Select Committee at all. I believe the first reference to the appointment of the Committee on this subject was contained in a speech of my right hon. Friend the Member for Mid Lothian on the occasion when he felt it his duty to move for a Grant to Her Royal Highness the Princess Beatrice. My right hon. Friend on that occasion said—

“In the time when Sir Robert Peel was Minister the first of the proposals within my recollection was made; and, undoubtedly, it

was made at the time simply on a Resolution of the Cabinet. In the time of Lord Palmerston a step in advance was made. A Minute was drawn up with care, and a scale of annuities, and, in certain cases, of dowry, was proposed and submitted, and pains were taken to ascertain that there should be such a concurrence of view among the leading men of the House of Commons who had been connected with the Office, so that something like system might be introduced into the grant of those provisions; but no provision was made then, or has been attempted since, for the reference of this portion of what has been, for a century, one subject to a Committee of the House. Method and unity of proceeding were secured, but nothing was done. We have considered this matter, Sir, and we are of opinion that it would be decidedly a public advantage, and most consistent with the important considerations attaching to this subject, if henceforth Parliament were to apply to these secondary provisions, if I may so call them—as compared, of course, I mean, with the provision for the Crown and the Heir to the Throne—if Parliament were to apply the same principles as have been applied in the case of the Royal Civil List; and before the House Commons hear of these proposals, a system on which they may well henceforward be founded should have been submitted by the Government to a Parliamentary Committee, and should have received the approval and sanction of that Committee."

Well, Sir, that was the initiation of the idea of referring this question to a Select Committee of the House of Commons, and I think the reference in that statement to the action of Sir R. Peel and the further step taken by Lord Palmerston and the other references in the passage show that what was in the mind of my right hon. Friend at that time was not the appointment of a Select Committee to consider some final settlement of this question which would once for all decide it, but mainly the appointment of a Committee which would consider a scale on which these allowances were in future to be granted by the House of Commons. That, I think, was the view of my right hon. Friend at that time, and that that was the view of the Government is shown by the proposals which they submitted in the first instance for discussion. Undoubtedly since the appointment of a Committee on this question was first proposed the opinion has gained ground in the country and in the House—and I do not say unreasonably gained ground—that in the future, and in view of the opposition now always offered to proposals of this kind, and the Debates and the differences of opinion which, perhaps, are not calculated to reflect credit on the dignity

of the Crown or even on the dignity of Parliament itself, it would be desirable if some method could be discovered by which the necessity for repeated applications on this subject should be avoided. Well, the Committee have considered the subject from that point of view. I do not say that they have exhaustively considered it from that point of view; but when we are told that the Committee have not made proposals of absolute finality, I maintain that the Committee have made a proposal and have gone as far in the direction of finality as it is expedient or possible to go at present. I say that this question has not been exhaustively discussed and considered by the Committee, and it has not been exhaustively discussed by this House. There are two sides to this question, and I think I can show as late as 1882 what the view of my right hon. Friend the Member for Mid Lothian was as to this point. In 1882, in moving for the Grant on the marriage of the Duke of Albany, my right hon. Friend distinctly expressed his approval of the present system of making application to Parliament as necessity should arise. On that occasion my right hon. Friend used these words:—

"This proposal is founded on a deliberate policy. That policy rests upon this principle—that it is a wise course, and a course accordant with the principles of a popular representative Government, that instead of endowing the Crown upon the accession of the Sovereign with all the sums which may eventually be found necessary in case that Sovereign should be blessed with a numerous progeny, instead of making that large endowment which might prove to be superfluous, that proper course is first to endow the Sovereign, if unmarried, in reference to the expenses of an unmarried Sovereign, and then from time to time to enlarge that endowment, as circumstances may require such enlargement."

I am not quoting that at all in a controversial sense; circumstances may have arisen since that period which may have induced my right hon. Friend and many others to change the opinion they then held to an opinion that it would be desirable that these constant applications should be given up; but I think that if the House will consider the vast variety of circumstances under which it is possible that a Sovereign may accede to the Throne, they will see at once that it is not possible, or if it were possible that it is not desirable, to lay down any hard-

and-fast rule which shall be necessarily applicable to all occasions. We need not go further back than to the circumstances of the accession of her present Majesty in order to illustrate the truth of this. Her Majesty ascended the Throne as an unmarried woman of 18, and it is very difficult to conceive what general rule could have been laid down before that period which would have enabled the House to make a fitting provision in that case, a provision which would not have been excessive in the case of her remaining unmarried or not having issue, or which would have been sufficient in the event of her marrying and having a numerous issue. Take again the case which might arise in the case of the accession of His Royal Highness the Prince of Wales. The circumstances under which the Sovereign may be called upon to act will be entirely different in that case. He would ascend the Throne at middle age or past middle age, when the circumstances of the family for which in reasonable probability he would be called upon to provide are accurately known, and the circumstances will be as different as it is possible to conceive from those in which her present Majesty ascended the Throne. Therefore I claim that it is not possible, or if it were possible that it would not be desirable, for the Committee to recommend to the House any fixed principle which should be laid down to govern invariably cases which must of necessity vary as much as those differences which occur in the cases I have mentioned of her present Majesty and the Prince of Wales. I maintain that all the Committee could do, and what it has done, is to lay down a principle and to suggest to the House a proposal which will secure a limited and reasonable finality, and which may be expected to prevent a recurrence of these discussions and these Debates. If the proposals of the Committee are accepted, finality for the present reign will be obtained. No proposal of this kind can be made for the children of His Royal Highness the Prince of Wales, and no proposal is to be made for the other grandchildren of Her Majesty, and when another Sovereign ascends the Throne it appears not to be difficult to make such arrangements when the Civil List is settled as to prevent

the recurrence of similar applications. When the House is engaged in the settlement of the next Civil List it can either provide that that Civil List shall be framed on the basis of providing for the State and personal expenditure of the next Sovereign, and funds created for the provision of such sum as may be required for the maintenance of his children and their descendants, or if the wisdom of Parliament shall decide that the next Sovereign shall be held responsible for those expenses, the money would be allotted to him. But there would be no difficulty in either case in preventing the recurrence in the next reign of applications of this character. I maintain that that limited finality which we have sought to obtain is all that can reasonably be expected—all that the House can expect to attain to, and we should have gone beyond the necessities of the case if the Committee had laid down any rule which should be final and inflexible in the case which I have mentioned. Now the Committee—the majority of the Committee—may be asked why, if Her Majesty has been pleased to waive the claim asserted in the case of her grandchildren, the claim should be asserted and repeated in the Report of the Committee. My answer to that question is that in my judgment the Report and finding of the Committee accurately represents the real state of facts. I maintain that that claim was a claim which might rightly be made and which was justified. Some of the grounds upon which such a claim might be put forward have been given in the Report, and a consideration of these will further support the validity of the claim. The grounds upon which the Civil List of the last two reigns has been settled have been fully and completely set forth in the Reports of Parliamentary Committees. Those Civil Lists were evidently framed to provide for certain State expenses, divided into certain departments, and also for a large personal expenditure of the Sovereign. If it was contemplated at the time when those Civil Lists were framed that, in addition to those State and personal expenses, the Sovereign was expected to make provision for any number of possible descendants, it seems to me hardly credible that such possibility would have found no mention in the

part of the business is carried on by that row of gentlemen I see sitting opposite. The Queen can do no wrong; but the Ministry can do wrong, and does do wrong. The Queen can do no wrong, because she knows the Constitution and obeys it. That is the reason why she is, perhaps, the most popular Sovereign in Europe. The people are loyal to the Queen because the Queen has been loyal to the people, and long may she be so. But as this is an entirely financial question we have to consider what are the duties which Royalty has to perform, and for which we are called upon to pay. They are ceremonial duties which the people of this country wish to have performed—levees, drawing rooms, balls, the patronage of philanthropic institutions, laying foundation stones, charity dinners, driving on to race-courses, entertaining distinguished strangers and barbarians like the Shah. [*Cries of "Oh!" "No!" and "Withdraw!"*] I do not understand what hon. Gentlemen object to. Is there anything wrong? These things are called in the political jargon of the day "maintaining the splendour of the Throne." The right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) maintained last night that the Court is to be looked upon as the school of morals for the whole country. I have nothing to say against the Court; but my opinion is that it is the morality of the country which has made the Court moral, not the morality of the Court which has made the country moral. I have no desire to minimise the duties of these ceremonial institutions, nor to say that they have been badly performed. I think all the ceremonies have been performed in a manner quite equal to the Lord Mayor's Show. The duties of Monarchy and the duties of Royalty are well paid for now. It is calculated that they are paid for at the rate of £700,000 per annum. [*"Oh!"*] I have been told so by the experts, and the sole question before the House is, why is there to be an additional Grant made now for carrying on these ceremonies. The cost of living and so forth is not more now than it has been. The Royal Family is growing, but I cannot see why more public money is to be voted on that account, for my doctrine is that public money should only be paid for

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public services; and I do not see that these marriages add to the splendour of the Throne. Now, it is said there is some impropriety in discussing this matter and that it should be treated as what the right hon. Gentleman calls "sacred." This is a strange doctrine to come from the Party which, to their honour, 50 years ago opposed the Grant of a large sum of money to Prince Albert. I do not see why we should not speak freely on these matters. I will tell you what the right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain) stated in 1874, when the Prince of Wales went to Birmingham. He was then Mayor of Birmingham, and in a letter which was published he said that his responsibility in the event was limited to representing the Corporation on the occasion, but the Prince of Wales would be sure to be well received by the crowd and would be as popular as the Tichborne claimant. A letter has appeared from the hon. Member for the City of London (Sir R. Fowler) in which he says he is going to vote for the Grant because he is a loyal subject. Well, what right had he to say that, implying that we are not as loyal as he is. Loyalty consists in doing our duty [An hon. MEMBER: "To whom?"] to the country, to the law, to the people who make the law. I cannot see that it is scandalous to discuss a Vote of money to the Royal Family any more than it is to discuss a Vote to the Army and Navy. I am sure that Her Majesty would be as anxious as any one that her faithful Commons should properly discuss this expenditure. It is not wonderful that there should be an outcry on this subject. What does the Government do, and do very properly, if somebody gets up in this House and says the postmen do not get enough wages? The Chancellor of the Exchequer says, "My first duty is to the taxpayers, and I will not grant an increase unless you show me it is necessary." It is perfectly true that excitement and agitation arise from the disparity which people perceive between the way in which the poor are treated and the way in which a rich family is treated. Well, Sir, for my part I am exceedingly glad that the hon. Member for Northampton has taken the action he has taken in this matter. I am getting to be an old Parliamentary

hand, and I remember that in the year 1873 my right hon. Friend the Member for one of the Divisions of Glasgow (Sir G. Trevelyan) formed one and I formed another of the Tellers of those who, to the number of 13, voted against a similar Grant to the Duke of Connaught. To-night we shall probably have 10 times that number voting in the minority—yes, and that minority will contain the flower of the Liberal Party. Of course, we shall not have the Liberal Unionists nor the right hon. Gentleman the Member for Birmingham (Mr. Chamberlain), who used to talk so much about “those who toil not, neither do they spin,” but who now is going to add to their revenues by getting all he can out of the toilers and spinners. I am sorry to hear that our Irish friends are going to vote for this large Grant of public money. It is a sad thing that they have so little sympathy with the democracy of this country. The Liberals are their only friends, and I am sorry that the Irish Members think that this is the way to promote the union of hearts between the two countries. But never mind what happens to-night; it is only the beginning of the fray. The noble Lord the Member for Rossendale (the Marquess of Hartington) said that too much was being made of this question; but the Leader of the House and the Leader of the Opposition said it was a most important subject. It is, I say, a question on which the country will look with interest at the votes of Members. This is the first Grant that has been proposed since we have had household suffrage; and that makes all the difference. The Grant will be carried by the votes of all sorts of people—it will be carried by what I may call the swell-mob of politics. “Society” is with the majority—the nobility, clergy, and all idle people of the country—the noble army of place-hunters, the hordes of beefeaters and taxeaters. At the Crystal Palace, the other night, the right hon. Gentleman the Chief Secretary (Mr. A. J. Balfour), in an interval between the performing elephants, the ballet girls, and a man in a trap, said that the Unionists and the Primrose League were going to save the country—I suppose by this vote. But let hon. Members opposite remember they will have to reckon with the democracy. We have not yet gone

to a General Election when the heart of the democracy has been thoroughly stirred—[“Home Rule”]—no, not on Home Rule; the people did not understand it as they do now. When the time comes, I hope the democracy will have sufficient intelligence, independence, and manliness to visit with their condemnation all those who vote for this wilful, wanton, and wasteful expenditure of the resources of the country.

THE CHANCELLOR OF THE EXCHEQUER (Mr. Goschen, St. George's, Hanover Square): Mr. Speaker, the House will think it but respectful, after the Debate which has taken place, that a Member of the Government, even at this late hour, should intervene and answer some of the questions which have been put to us in the course of the discussion. I hope that in a very few minutes the House may escape from the influence of the speech which we have just heard. I only ask hon. Members opposite to contrast the tone and taste of that speech with the great speech to which we listened last night from the right hon. Gentleman the Leader of the Opposition (Mr. Gladstone). One would have thought that the speech of the right hon. Gentleman would have had some influence even in restraining the merriment of the hon. Member who has just sat down. The hon. Member says it is “the swell-mob of politics” who are going to vote for this Resolution, and against the Amendment of the hon. Member for Northampton. I hope that the constituencies will analyse the list of this Division; and they will then see amongst those who vote against the hon. Member for Northampton some of those to whom they most look up in the Party opposite. I do not know to what extent hon. Members mean to stand by their cheers. I wish to know to which speech do they pay most honour, not only in their cheers, but in the course they are going to take to-night—to the speech of the veteran statesman who leads them, or to the speech of the hon. Member whose taste, I presume, represents what they consider to be the views of the present democracy? I believe that the hon. Member utterly misrepresents the democracy if he believes that if we had a body of working men in this House they would have shown any admiration or respect for the speech to

which we have just listened. Sir, the time at my disposal is so short that I know hon. Members will be anxious that I should occupy it by replying to some of the questions which have been put in serious and respectable speeches, and which deserve an answer. The hon. Member for Northampton made this evening an antiquarian speech, but I am relieved from a great portion of the duty of replying to it by the observations that fell from the noble Lord the Member for Paddington (Lord R. Churchill). In fact, it would be perfectly possible, but for the questions which have been put to us, to leave this Debate as it stands after the speeches which have been made by the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone), by the noble Lord the Member for Paddington (Lord R. Churchill), by my hon. Friend the Under Secretary of State for India (Sir J. Gorst), and by the noble Lord the Member for Rossendale (Lord Hartington). We are perfectly content with the result of this Debate; but there are some delusions to which currency has been given on this occasion, and which it would perhaps be right to dispel by a few words. The junior Member for Northampton has resuscitated this evening his views with regard to the title of the Crown to the hereditary Crown Lands and as to the question of surrender. I am sorry that time does not permit me to answer, as it could be answered, the historical part of the hon. Member's speech. But let me, in two or three sentences only, point out the fallacy which underlies the whole argument in that respect. I know that the contention of hon. Members opposite—of the new school of Radicals—is that there is no title for these Crown Lands. What is the position of the hon. Member for Northampton? He finds a flaw in the title, as he believes, in the reign of William III., and consequently holds that the Crown Lands which have been attached to the Crown since William the Conqueror are to be no longer regarded as the property of the Crown. He has been answered on the question of the Parliamentary title. It has been pointed out that time after time the proprietary rights of the Crown in these revenues have been allowed and asserted by Parliament. I might leave that part of the

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defence to the noble Lord the Member for Paddington. The fallacy which underlies the argument of the hon. Member as regards the surrender, which he says was made for the first time by an audacious draftsman in the Civil List of George III., lies in the question why did previous Monarchs not surrender as George III. surrendered? Why, because they kept and spent the revenues. The hon. Member asks, time after time, why did not other Monarchs surrender, as George III. did, and the hon. Member argues that because previous Monarchs did not surrender the revenues therefore they were not vested in the Crown. He ought to know that they were not surrendered, because they were kept and used. Let the House understand the exact position. When a composition was made, and a given sum was taken by the Sovereign in lieu of the hereditary revenues, as was the case for the first time in the reign of George III., then the surrender was announced in the Civil List. But when the hereditary revenues remained in the Monarchs' hands, and were spent by them, and were supplemented by Votes in Parliament, then they were not surrendered because they formed a portion of the income of the Sovereign supplemented by Votes. These were the two systems. There was, first, the system of the enjoyment of the revenues supplemented by the Votes of Parliament, and when that came to an end the surrender took place, and a composition was made by the Crown. Then the hon. Member says that there were other revenues which were attached to the Crown besides those Crown Lands and with that usual somewhat uncharitable manner which he has in dealing with his opponents, the hon. Member declares that the passage in the Report which asserts the surrender of the Crown revenues and small hereditary branches of revenue is based on ignorance or dishonesty, because it does not state other revenues attached to the Crown. But those stood on a perfectly different footing. One of the hereditary revenues—the Excise Duty on beer and cider—had not been levied for some time and was consequently not giving a return, and the amount of it could not be entered in the account which was presented. But the hon. Member says, "If you had in-

cluded these revenues there would have been scores of millions which would have been surrendered, and we should have seen the *reductio ad absurdum* of the Queen surrendering revenues the place of which could not possibly be supplied." The hon. Member spoke of scores of millions. He appears not to have seen an interesting Return which shows the Crown Revenues surrendered, including the duty on Excise in 1829, and all those duties to which he alluded did not amount to more than £900,000. I can show him the various items of which the Return was composed, and prove to him that his *reductio ad absurdum* argument was a mere figment of his brain, an exploded fallacy. I regret that I have not time to go into this matter in detail. Another fallacy of the hon. Member's, and one which I believe has made some impression upon hon. Members opposite, has been answered, partially answered, to-night by the noble Lord the Member for Paddington. It is the fallacy with regard to the surplus funds of the Civil List, the saving which the hon. Member maintains has from year to year been diverted from the use of the public, to which it ought to have been turned, and which has been paid over to the Sovereign. The hon. Member relies upon a section in the Act which states that these savings ought to be paid over in aid of one particular class. Do not let it go forth that there is the slightest justification for one moment in maintaining that any of the surplus paid over to the Privy Purse from the £385,000 which was assigned to her Majesty—that there is any portion of that which does not belong absolutely to Her Majesty. A great deal of nonsense has been talked about these alleged savings which have been paid over to the Privy Purse and which it is alleged now ought never to have been so paid. Let hon. Members generally look at the third section of the Act by which these revenues were assigned, and they will see that it is stated in the most absolute form that the amount of £385,000 is to be paid quarterly to Her Majesty. There is no reservation as to any portion of that sum; and is it to be believed that the Parliament of 1837, with the great financiers, with the great statesmen in that Parliament, omitted to state that if

there was any saving in any of the classes it should be paid over to the nation, if they had intended for one moment that it should be handed over? There is not a suggestion to that effect in any part of the Act. All that hon. Members point to is that the surplus is to be paid over in aid of a particular class, and then they slip in, or attempt to slip in, the words "to meet the deficiency in any particular class." But these words are not in the Act. It cannot be contended for one moment, looking at the Act as a whole, that there was the slightest idea in the mind of any responsible statesman that these savings were not intended to be paid over for the use of Her Majesty. The point is raised that there has been a reserve fund of £15,000 or more, and the hon. Member for Sunderland (Mr. Storey) has put forward an ingenious argument, that this reserve fund was intended to meet the case of children, that children were to be endowed out of this reserve fund. This reserve fund was founded for the purpose of meeting emergencies, and I do not think even hon. Members opposite will contend that the marriage of a child is an emergency, or that the provision which must be made for children going out into the world is an emergency. I would only recommend hon. Members to read what has been said in 1837, and they will see that there was not then, and never has been, the ghost of a suggestion that any portion of Her Majesty's savings should be devoted for the purpose of finding doweries or endowments for the younger children of the Queen or for any portion of the Royal Family. It ought to be known that those savings, which are supposed by the hon. Member for Sunderland to go straight to some investment to be accumulated, have in many cases been expended by Her Majesty, not on personal considerations, not only for charitable purposes, but a large portion of the money has been used for the entertainment of Royal Guests. ["No, no."] Do hon. Members doubt it? I say that we have documentary evidence that in many cases those savings have been applied, and were intended to be applied, for these special cases, when the Privy Purse did not meet the necessities of the moment. There have

been Minutes in times past [where the savings of a certain number of years have been applied to meet purposes which the Government of the day acknowledged might fairly have been put on Parliament, but which Her Majesty was anxious to discharge from the Privy Purse and the savings. It is right that this fact should be made known in reply to that monstrous suggestion of the hon. Member for Sunderland that £3,000,000 has been accumulated by Her Majesty out of her savings. How did the hon. Member arrive at that figure? He gave us one hint; he said it was by an actuarial calculation. His assumption was that, whenever any sum was paid over to the Privy Purse, it was immediately invested at compound interest, and taken year by year the hon. Member estimated that it would give £3,000,000. Why you might as well say you gave a man £100 10 years ago, so now he must have accumulated £500, without inquiry whether he has spent the original sum or not. We know that a great portion of the money paid over to Her Majesty has been paid for purposes, many of which may be called national purposes, and many of them charitable purposes. I would direct the attention of hon. Members to the fact that at the end of the Report there is a statement made that there was a Motion moved by the right hon. Member for Mid Lothian, stating that the Government had supplied the information which the Committee desired in the fullest manner possible, and had amply redeemed the promise they had made.

MR. LABOUCHERE: I will ask the right hon. Gentleman whether I did not state that I would not put the Committee to the trouble of a Division, but that I most emphatically said "no" to the Motion?

MR. GOSCHEN: That is perfectly true; but the hon. Member did not receive the support of a single one of the other 23 Members of the Committee to that assertion. With all respect to the hon. Member, I cannot accept his particular "No" against the assent of the other Members of the Committee to the Resolution which was spontaneously moved by the right hon. Member for Mid Lothian, stating that the Government had amply redeemed the promises

they had made with regard to furnishing information to the House. I see the time is approaching when I must conclude my remarks, and I would wish to say one word upon the proceedings before the Committee, to which allusion has been made. We shall have another opportunity of dealing with the right hon. Member for Newcastle, and I will only to-night observe that among the many speeches that have been made the particular position he has taken up has only been endorsed by two hon. Members in the course of this Debate—namely, the hon. Member for Bedford and the hon. Member for the College Division of Glasgow, and of those two supporters the hon. Member for the College Division says he will not vote in the same Lobby with the right hon. Gentleman. Something has been said with regard to the firm attitude which we took up in insisting on two paragraphs in the Report, one declaring that notice had never been given to Her Majesty of any intention whatever to depart from all precedents, and the other affirming that if Her Majesty had made a claim on the liberality of Parliament to provide for the children of Her Majesty's younger son, we believed that would have been a fair claim. We maintain the view that no notice whatever has been given to the Queen. No extracts read to the House can convey to hon. Members the strong impression they would get from reading the Debates, that, so far from any notice being given to the Queen of any intention to induce the country to make a departure from precedent, every word uttered in those Debates would strengthen the impression which must have been upon Her Majesty that Parliament would not look to the extent of Her Majesty's savings to provide for the family of Her Majesty. That runs through every Debate. It has been pointed out over and over again by the right hon. Member for Mid Lothian that if the Queen had to provide for the family of the Heir Apparent, her savings would not enable her to meet one-tenth part of the demands which would be made upon her. We were determined we would not flinch from the assertion of the fact that no notice had been given to Her Majesty. The hon. Member said that every Liberal would vote against that

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declaration. Liberals can vote as much as they like, but however great their research they cannot find that any notice has been given to the Queen that would induce her to believe that Parliament would look to her to provide for the children of her younger sons. And, again, we say that both precedent and all that has taken place establish the fact that if Her Majesty had chosen to make a demand on the liberality of Parliament it would have been the duty of Parliament to meet the claim. The right hon. Member for Newcastle says it is a shabby thing to assert a claim and not to enforce it.

MR. J. MORLEY: Hear, hear.

MR. GOSCHEN: I venture, differing from him, to say it would have been a shabby thing if at the point of the bayonet we had flinched from the assertion of a principle and a claim which we believe to be just; but it is one thing to state that a claim would have been founded and another to press for that claim, and we believe that, acting on the advice of her Ministers, the Queen has exercised a wise discretion in not pressing that claim upon the present occasion. Hon. Members have pressed us to say whether we mean that the claims are absolutely dead or not. I refer the right hon. Gentleman and his Friends to the words of the Resolution. We go to the full extent of our declaration. We do not go back from that declaration; we do not go beyond it. That is the policy which we shall defend when the right hon. Gentleman brings forward his Amendment, which has been a very considerable time in its concoction.

MR. J. MORLEY: Oh, no. We were obliged to wait until the Resolution was more or less formulated. My Amendment is already in the hands of right hon. Gentlemen opposite.

MR. GOSCHEN: Yes, about five minutes ago. It is a very interesting document. Let us realise the position of the right hon. Gentleman. The position which seems to be taken up by the right hon. Gentleman and some of his Friends is this—that in future arrange-

ments with the Sovereign, no allowance is to be made for the possibility of having to provide for children. The doctrine of the right hon. Gentleman comes to this—that the Princesses of the Royal House will neither be in the position of being able to be endowed by the savings of their parents, nor will they be able to appeal to Parliament, and they will stand in a different position from that of the daughters of any nobleman or gentleman in the country; they will be utterly unprovided for if the doctrine of the right hon. Gentleman is to prevail. We have heard something during the course of the Debates of the view which popular assemblies will take upon this question. For my part, I firmly believe that if this House had been filled altogether with working men, or with a fair sample of the constituencies listening to our Debates, the speeches which have been made by the Member for Mid Lothian and others would have carried conviction to their mind. They would have convinced any popular assembly that our demands were just and founded on principles of equity, and should not be rejected by an intelligent people. What is the course of hon. Gentlemen opposite? They first endeavour to inflame the popular mind by gigantic exaggerations. They talk of millions that do not exist. They talk of doubling the revenue of the Sovereign, calling it £250,000 instead of £125,000, and then, when they have produced an impression in that way, they tell us that the mind of the public is exercised and impassioned. Let them state the case fairly on any platform, and I believe the country will decide, as this House will decide, by a large majority in favour of the proposals of Her Majesty's Government.

The House divided:—Ayes 398; Noes 116.—(Div. List, No. 260.)

Main Question put, and agreed to.

MESSAGE FROM HER MAJESTY
[PRINCE ALBERT VICTOR OF
WALES AND PRINCESS LOUISE
VICTORIA OF WALES] [2ND JULY.]

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed,

“That, in order to prevent the necessity for repeated applications to Parliament on behalf

of the Royal Family, and to establish the principle that the provision for children should hereafter be made out of Grants adequate for that purpose which have been assigned to their parents, it is expedient to grant to Her Majesty, out of the Consolidated Fund, an annual sum not exceeding £36,000, to continue until six months after the demise of Her Majesty, and to be applied for the benefit of the children of His Royal Highness Albert Edward, Prince of Wales."—(*Mr. William Henry Smith.*)

Debate arising.

It being after midnight, the Chairman left the Chair to make his Report to the House.

Committee also report Progress; to sit again upon Monday next.

INTERMEDIATE EDUCATION (WALES AND MONMOUTHSHIRE) [GRANT, &c.]

Resolution reported.

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of annual sums in aid of Schools subject to schemes under the provisions of any Act of the present Session to promote Intermediate Education in Wales and Monmouthshire."

Resolution agreed to.

INTERMEDIATE EDUCATION (WALES) BILL. (No. 349.)

Order for consideration, as amended, read, and discharged.

Bill re-committed in respect of a new Clause.

Bill considered in Committee, and reported; as amended, to be considered upon Monday next.

MERCHANT SHIPPING ACTS AMENDMENT BILL. (No. 339.)

As amended, considered; Bill read the third time, and passed.

MARRIAGES (BASUTOLAND, &c.) BILL [LORDS.]

Read the first time; to be read a second time upon Monday next, and to be printed. [Bill 352.]

WINDWARD ISLANDS APPEAL COURT BILL [LORDS.]

Read the first time; to be read a second time upon Monday next, and to be printed. [Bill 353.]

WESTERN AUSTRALIA CONSTITUTION BILL [LORDS.]

Read the first time; to be read a second time upon Monday 12th August, and to be printed. [Bill 354].

Question proposed, "That this House do now adjourn."

IRELAND—SANITARY CONDITION OF CLONMEL GAOL.

DR. TANNER (Cork Co., Mid):

On that question might I ask the right hon. Gentleman opposite who represents the Government if he will take some steps to try and cure the insanitary state of Clonmel Gaol? I offer these observations in a moderate way, not merely on my own behalf, but on behalf of any other unfortunate person who may be confined there. The present condition of affairs is unsatisfactory and wrong in every possible way, and I sincerely hope that though I may not be here to take part in the consideration of this matter on the Estimates, some attention will be given to it. I have put this matter forward in the interests of that common humanity which is the right even of the humblest citizen.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I am quite sure that if the hon. Gentleman will make a representation to my right hon. Friend the Chief Secretary to the Lord Lieutenant, he will give it due consideration.

DR. TANNER: I beg, Sir, to make it to you—

*MR. SPEAKER: Order, order! The question is that the House do now adjourn.

Question put, and agreed to.

House adjourned at half after
Twelve o'clock, till
Monday next.

HANSARD'S PARLIAMENTARY DEBATES.

No. 14.] SIXTH VOLUME OF SESSION 1889. [August 6.

HOUSE OF LORDS,

Monday, 29th July, 1889.

GRANTS TO MEMBERS OF THE ROYAL FAMILY.

Report from the Select Committee of the House of Commons: Communicated (pursuant to Message of Thursday last), and to be printed. (No. 189.)

TOWN HOLDINGS.

Report from the Select Committee of the House of Commons: Communicated (pursuant to Message of Thursday last), and to be printed. (No. 190.)

MERCHANT SHIPPING ACTS AMENDMENT BILL.

Read 1st; to be printed; and to be Read 2^d on Friday next.—(*The Lord Balfour*). (No. 191.)

TURKEY—BULGARIA.

***LORD STRATHEDEN AND CAMPBELL:** My Lords, there is not much novel matter in the volume of correspondence on Bulgaria, for which I moved last Session. It goes down to December 1887, and covers the election of Prince Ferdinand. It will not, I trust, be thought presumptuous upon my part to refer to it. At the same time, I should have scarcely ventured to bring it before the House unless protracted observation, so far as one can make it in this country, led me to think that a revival of the Eastern Question may be possibly impending. The Blue Book would tend itself to warrant that conclusion. There is in it a speech of Count Kalnoky, which well

explains the situation in Bulgaria. Count Kalnoky shows that Prince Ferdinand has not the sanction of the Porte or of the Powers required by the third section of the Treaty of Berlin. The explanation is more serious as coming from an Austrian Minister, who might be thought to look with favour on an Austrian candidate pursuing an election to the Vassal Principality. There is a Despatch from Sir William White, Her Majesty's Ambassador at Constantinople, showing that Russia is inclined to prolong the status which gives her so much right to interfere, and that her Government refuse, when asked by the Sublime Porte, to mention Princes who would have her acquiescence in Bulgaria. There is a Despatch from the noble Marquess the Secretary of State intimating that one party in Bulgaria is eager to declare its independence, by which the Suzerain would be drawn into reprisals; that another party is disposed to recall Prince Alexander, by which a Russian occupation might be easily precipitated. There are despatches from Sir Robert Morier which throw the greatest doubt on the intentions forming at St. Petersburg, and prove at least that the existing status in Bulgaria can hardly ever be accepted there. The pervading essence of the Blue Book—that I may sum it up more generally—is to exhibit frequent insurrections against the provincial *régime*, severe punishments inflicted on their leaders, emphatic protests of the Russian Government—which point to future intervention—in their favour. Since 1887, when the Blue Book closes, we know, by less official sources, that a collision between Prince Ferdinand and the Exarch of Bulgaria has happened, and that no less than 60 persons were arrested at the moment of the discord

which arose between the civil and religious power. However, we are led to ask for much more recent indications. We have them in Crete, which has before now furnished preludes to more general disturbance, and been metaphorically painted as the stormy petrel of the Eastern Question. We have them in Armenia, to which so much attention was lately called by a noble Earl on the other side (the Earl of Carnarvon) and by a well-known Prelate, who supported him. What more impresses me is that the organs of the Government for weeks have all united in prognosticating Eastern danger. Their opinion seems to be confirmed, although more indirectly than directly, by Continental journals which I need not specify at present. My Lords, whoever goes back only for a minute to the Treaty of Berlin will see the greatest antecedent probability that the Eastern Question would re-open. Two independent nations were created—Servia and Roumania—liable to go to war against the Porte, one of which has done so since. The invasion of Bulgaria by Servia in 1885, on the alleged ground of its disloyalty, was so regarded by the Sultan. Austria established without a given limit, but not in perpetuity, on the territory of the Porte—it may have been a deeply calculating measure—was certain to excite hostility in Russia. Bulgaria, when formed into a Vassal Principality, was inevitably doomed to think of absorbing East Roumelia, which has taken place, and of flinging off the Suzerain, against which the noble Marquess has had occasion to discourage her. At this moment there may be in the midst of Parliament routine and legislative details which absorb us a kind of incredulity as to anything more grave occurring in those regions. But so there was in 1875, when the three Empires entered on commercial treaties with the Vassal Principalities, and when the subject came before your Lordships for discussion. Who thought at that time that the Herzegovinian insurrection was at once to follow, or the Servian War, or the Bulgarian Rebellion? Who thought that the noble Marquess was to be hurried from the India Office to Constantinople in November 1876, or that Russia would cross the Pruth a few months afterwards? She crossed the

Pruth in violation of one Treaty and might cross it now in partial execution of another. My Lords, under these circumstances and with this apprehension, measures may suggest themselves, although without more information it is difficult to judge them. It may not be impossible to correct the situation in Bulgaria, either by gaining the assent of all the Powers to Prince Ferdinand, or else by superseding him, or else by the appointment of a Regency, which, according to another passage of the Blue Book, Lord Idlesleigh recommended and M. de Giers, to a great extent, accepted. Last year, in February, I held a Conference to be desirable, and the noble Marquess seemed to coincide with me, if all the Powers could be induced to join it. It is clear they will not do so, and that other methods are essential. At least, until the situation in Bulgaria is altered there cannot be tranquillity for Europe. On this point further knowledge would be valuable. It might be also most important to place the Treaties of 1856 upon a larger basis and a firmer one. They are, in some degree, confused by those which followed in 1871 and 1878, while yet they are in vigour. The most effective—that of April 15th—includes only France, Austria, and Great Britain, while from the movement of the world, the march of history, it is, in fact, confined to Austria and Great Britain. The security of the country upon the Eastern Question would at least be greater if it was re-enacted in such a way that Germany and Italy, with other Powers, were comprehended in it. But nothing can be urged as yet distinctly on the subject. My Lords, having before now directed your attention to that topic, I cannot but attach the greatest possible importance to the revival of the Ottoman Assemblies which began in 1877, if only upon this ground. When Great Britain is required to defend the Porte, on European as well as Indian grounds, we must invoke the popular opinion of the country. It is one thing to ask the country to make sacrifices for a despotic, another to ask it to make sacrifices for a Constitutional, authority. The Ottoman Assemblies which were overthrown when Russia reached San Stefano, although not similar to ours, were still a check upon the arbitrary power of the Sultan. Sir Henry Layard, who had, as an Ambassador, to watch their operation, is the

unanswered, unrefuted witness to their efficacy. Had they gone on, Armenia might not have required the noble Earl and his most reverend supporter to explain its wrongs or advocate its interests. There is another ground on which they are important, even indispensable. Until they have been fully tried, you cannot meditate a further system on the Bosphorus. Until their capability of effecting objects which our policy has aimed at is disapproved, you cannot enter upon any further changes in the territory of the Sultan. But to revive them at Constantinople against the influence of Russia and the Palace presents a formidable problem and one on which more light might usefully be concentrated. My Lords, it may be urged that measures of this kind, however just, can hardly be pursued when the Foreign Office is so much overloaded as it is at present. We know, indeed, from records of Lord Bolingbroke, of Mr. Canning, and Lord Palmerston that it is in itself a most laborious Department. I have heard the late Lord Clarendon, the last autumn that he held it, remark to a society of gentlemen, when he was going home at night, that he should have to work till about four o'clock in the morning. If anyone could act as First Minister and Secretary of State together, in point of versatility and industry, it would be, perhaps, the noble Marquess. But the year before last he was compelled—it must have been compulsion—to absent himself from Parliament before the Session finished. The burden, therefore, seems to be too great for anyone, if permanent. It may, in moments of particular emergency, be necessary to sustain it. I once contended in the House, when Russia was advancing on Constantinople, that in order to prevent duality and discord, then apparent in the Government, it would be useful for Lord Beaconsfield to join the two functions. I do not say the noble Marquess is not as well qualified to do so, or repeat the maxim, "*Quod licet Jovi, non licet bovi.*" But three Sessions may be too long a period for an exceptional arrangement, unless on diplomatic grounds it is essential to preserve it. In France it is true that since 1870 and under Louis Philippe the offices have been frequently united. But it would hardly be maintained that, in effect or influence

abroad, the result has been entirely successful. My Lords, there are a set of fallacies upon the Eastern Question which it requires the fullest information to disperse, and which are often in the way of policy and action. One is, that Germany and Austria are sufficient for the defence of the Ottoman Empire against Russia, and that the Western Powers may judiciously abandon it. When have Germany and Austria alone been able to defend it? Was it in 1829, or in the Orimean War, or in the recent struggle? Another is, that to command Egypt is sufficient for Great Britain. But the Power which obtains Constantinople must eventually hold Egypt, and close your shorter route to India altogether. Another is, that Great Britain has nothing but security in India to consider, as if she was not a Mediterranean Power while holding Cyprus, Malta, Gibraltar, and as if Russia at Constantinople would not be dangerous to all the Mediterranean Powers put together. Another is, that in order to reform Ottoman abuses you ought to sanction Russian interference. The noble Marquess pointed out the other day that where Great Britain ceases to defend she must cease to admonish. I do not blame those, although unable to concur with them as yet, who look to a Byzantine Empire, which the Duke of Wellington at one time contemplated as a possible arrangement. No doubt it would be easier to secure allies for a Byzantine Empire than a Mahometan dominion. No doubt, as in former ages, there has been a rushing tide of Asia towards Europe; there is now an apparent flood of Europe into Asia. But such a growth is pregnant with incalculable difficulties. It must be ascertained by what race, what individual, and what Army it would have to be directed, organized, sustained; whether Roumania, Servia, Bulgaria, or Greece should be regarded as its genius and its mainspring. It must be ascertained whether it could harmonise, with due consideration for the Asiatic provinces of Turkey. But to uphold Constantinople against aggressive power would seem to be the indispensable preliminary to any further triumph of the Cross over the Crescent. Nor ought these views to be regarded as irrelevant, if it is felt that the Government may soon be called on to fulfil the obligations

which the Crimean War enhanced, although it did not actually originate. My Lords, I am conscious of alluding to the subject in a perfunctory manner. But as we may be on the eve of a serious transaction with regard to it, involving multiplied Debates, it is better for men who speak to economise at once the time and patience of their hearers.

Moved,

"That an humble Address be presented to Her Majesty for further papers on the aspect of the Eastern Question."—(*The Lord Stratheden and Campbell.*)

THE PRIME MINISTER AND SECRETARY OF STATE FOR FOREIGN AFFAIRS (The Marquess of SALISBURY): My Lords, the request of the noble Lord is exceedingly legitimate. In fact, before he put his notice down, I had given directions for the preparation of such papers as have not been published within the last two years. I think the last Papers on the subject were published at the close of 1887. Happily, since then affairs in Bulgaria have not been rich in historical events. The Principality has been well governed and progressive, and we have every reason to congratulate its rulers upon the success with which all its affairs have been conducted. There is not, therefore, any great amount of information to give to Parliament in response to the noble Lord's request; but whatever there is, we shall be very glad to give a considerable portion of it. With respect, however, to the matters over which the noble Lord's speech travelled, I do not suppose he anticipated I should follow him. He made an interesting speech, which I have no doubt will be carefully read; but it is open to the noble Lord to speculate on a great number of questions with respect to which those in the service of Her Majesty must abstain from comment. I do not concur with the noble Lord in the somewhat sinister auguries which he draws from the existing state of things. I do not venture on any confident prophecy in any direction. It is impossible, indeed, to say what the state of things in the Balkan peninsula and other parts of the Turkish Empire may be in the future; but I do not think there is now any greater ground for anticipating disturbances than there have been, on the other hand,

Lord Stratheden

any very encouraging symptoms of stability and progress. I do not say that the progress of Turkey has been very rapid, but I think it has been sensible. I think there is less disposition on the part of various potentates, great and small, to speculate on the possibility of disturbances in that country. To mention a Power which was referred to in the speech of the noble Lord, I am bound to say that the Government of Russia has observed a very correct attitude, and that nothing has taken place which justifies us in criticising her conduct. On the contrary I think that, judging merely from events, we are entitled to say that the conduct of the Russian Government has fully justified the pacific professions which the Emperor has constantly made. I do not, therefore, wish to endorse the apprehension expressed by the noble Lord, and, if I may be permitted to say so, I do not feel obliged to endorse the predictions made by the noble Lord. I am not sure that the best method of treating the Eastern Question at present is to discuss it. On the whole, my belief is that a country in the position of Bulgaria advances more rapidly to the only healthy and possible settlement—that is to say, the natural growth and development of the strength of all the populations in those regions—in proportion as those who stand outside it abstain from any action or language that would tend to stimulate the unfortunate differences which occasionally arise. I hope, therefore, the noble Lord will excuse me, penetrated with the view as to the advantage of silence in dealing with this question, if I conclude by assuring him that we will give all the information in our power, and expressing the hope, with some degree of confidence, that the dark picture he has drawn of the future will not be justified by the facts.

THE EARL OF CARNARVON: I think, my Lords, everyone will agree that Russia has, by her acts, justified her pacific professions. No one can be in a better position to judge of the action of Russia than my noble Friend, but at the same time I hope I may be allowed for a very few minutes to point out how very serious is the aspect of matters in Europe to all those who have not the privileges of my noble Friend of possessing private and also official information.

Every year that passes by for the last two or three years has witnessed a certain amount of alarm, and justifiable alarm, at the coming months. Our hope is that the coming 12 months will pass over as peaceably as the last 12 months, but the position of affairs, beyond all doubt, is serious. You have, in the first place, a large, an almost unprecedentedly large, accumulation of troops. The accumulation carried on steadily and systematically along the eastern frontier of Austria is a very marked phenomenon. It is quite fair to say that it is stated on good authority, that that accumulation of troops is in pursuit of an old military policy, carried out for a long time. In Serbia you have a military census—you have large armies ordered and supplied, and no one quite knows why or how or from what sources. In the Caucasus you have a very heavy massing of troops. Then, again, it is quite possible to say that with the large armaments of modern days, with armies of three or four millions of men, the movement of 100,000 men ought not to be taken very greatly into account. But still the fact remains that it is so, and it is a serious factor in the situation. We have now 15 millions of armed men in Europe, divided into hostile camps. Almost every man capable of bearing arms is a soldier. But, my Lords, these are not the only causes of apprehension. It is impossible to ignore the international jealousies, rivalries, and ambitions which exist in Eastern Europe. Even within the limits of the dual Monarchy, which is a fair object of political admiration, Croats, Bohemians, and Hungarians are all actuated by diverse feelings and interests. Outside the Austrian Empire you have Servians, Roumanians, Bulgarians, Montenegrins, each of them pursuing a separate policy. Thus, my Lords, the whole political situation is charged with electricity. A single imprudent word, a single unfortunate act, a toast given at a banquet, a King returning from his self-imposed exile, a movement meaning anything or nothing, may be quite enough to set this inflammable matter on fire. And it is most inflammable. You have not only all the elements of conflagration; you have intrigues in actual operation, you have suspicious factions and still more suspicious and unscrupulous partisans. He must have

a very short memory indeed who does not remember in recent times a Sovereign Prince being spirited away and placed in a position of absolute danger to his life. And, my Lords, a consideration of these matters does not dispose of the dangerous elements, for amidst all the cross currents of faction you have, in addition, a much larger volume of nationality with all its ambitions and aspirations of race—that most powerful feeling which has in our own day made Germany, created Italy, and which has gone a large way to place the United States in their present position. You have, then, these three great dangers—the accumulation of troops, the intrigues and ambitions, and the influence of race; but there is a still greater peril, and it is mainly that which has induced me to say a few words this evening. There is, it seems to me, a still greater peril to the peace of Europe than any one of these three. My noble Friend has stated that whilst Russia on the one hand has justified by her acts the peaceful assurances which she has given, on the other hand the progress of Turkey, though not rapid, was yet, if I caught his words rightly, marked—

THE MARQUESS OF SALISBURY: Was sensible.

THE EARL OF CARNARVON: That it was sensible. My noble Friend on his high authority has given us that remarkable assurance. I own that to me it seems that the greatest risk of the present moment is the Turkish Empire and the policy there pursued. You have a Government there which is not only deeply involved in debt, but where the Exchequer is absolutely empty. I believe it is no exaggeration to say that at this moment the Exchequer at the Porte is almost without a penny in it. At the same time, by incapacity, by misgovernment, the Porte seems to me to be provoking, if not justifying, foreign intervention. I ventured to call the attention of your Lordships to the state of things passing in Armenia. I stated then charges of misrule and acts of atrocity which, happily, cannot be alleged against many parts of the world or many Governments. There was no pretence of denying the accuracy of what I said. No one has ventured to do so. It would be impossible to deny those allegations. What is the answer that the Turkish

Government has made? First, a manifesto appeared a few days afterwards in the newspapers, professing to come from the Armenian population, thanking the Porte for the reforms which had been made, and expressing themselves in terms of gratitude, as if they were the happiest and best treated of mankind. That was the first answer. What was the second answer? Happily in this country we have a Press which publishes reports to the world from all quarters without fear or favour. There appeared a report in the *Times* as to these unfortunate events in Armenia. A telegram warned the Turkish Government, and the Turkish Government suppressed the circulation of the *Times* in Turkey. My Lords, these are the acts by which the Turkish Government take away from their friends all hope of improvement in Turkey, and which inspire their enemies with confidence. These are the ridiculous expedients adopted by Turkey for blinding Europe in regard to matters which Europe knows only too well. I admit that the Turkish Empire has fared badly at the hands of all, whether friends or foes. France has possession of Algiers; Greece is built up entirely upon the ruins of the Turkish Empire; Russia has taken where she wished and everywhere; Austria is in possession of Bosnia; and we ourselves are the masters of Cyprus. Turkey has fared badly all round from friend as from foe, but she has only herself to thank for it. I agree with my noble Friend that reticence may be the duty of professed diplomatists and Foreign Offices; but, at the same time, that does not apply to outside observers, and I hold it to be the duty of those who look on and watch these events to warn Turkey, at least in the gathering difficulties which surround her, that if she trusts to the support of England it must be by a very different policy and by very different means and methods than those which she has hitherto pursued.

LORD STRATHEDEN AND CAMPBELL said that he had no reason to detain the House with further observations, as Her Majesty's Government were willing to accept the Motion which he offered. He could not but remark, in passing, that the impressive language of the noble Earl who had sat down, so far as it was just, suggested stronger grounds for the revival of the Ottoman

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Assemblies than could have otherwise been given.

On Question, agreed to.

MEDICAL INSTITUTIONS.

Petition signed by various members of the medical professions and by others also on behalf of various medical charitable institutions, praying for inquiry in regard to the financial and general management and the common organisation of medical institutions, endowed and voluntary, and in regard to the administration of Poor Law institutions for the aid of the sick in the Metropolis: Presented, and read.

LORD SANDHURST, in rising to move, "That the prayer of the said Petition be agreed to," said: My Lords, I would say, at starting, that I have assumed this task with feelings of great diffidence, and I wish that the task had been undertaken by some noble Lord on either side of the House who was more practised in the ways of your Lordships' House, and with greater facility of expression, and also whose individual opinion in endorsing the Petition would carry more weight. My Lords, the subject is one of great difficulty, and the more it is considered the more complex and difficult it becomes. It concerns the welfare of the general public in receipt of medical relief, and it also concerns those of the public who generously contribute to maintain the charities. Moreover, the subject is bound up with the interests of the most honourable and honoured of professions. Therefore, in default of a more experienced advocate, and being not entirely unacquainted with the work of the large general hospitals in London, I ask the indulgence of your Lordships while I endeavour to state some reasons why some of us, at any rate, consider an inquiry to be necessary. In my remarks I shall not impugn the policy or management of any individual hospital nor arraign any board, and I do not wish your Lordships to suppose that I am taking up a position as an economist or a philanthropist. I shall merely lay before you facts backed by a few figures. This is not the first time that the subject has been considered. Various Medical Committees have considered the whole or portions of the subject. No action, however, has been taken by the hospitals.

Failing these, information has been amassed by the Charity Organization Society, a Society known to your Lordships, whose business is organising and not dispensing charity, and seeing that this is their business it is, I think, a fit and proper body to undertake it. The medical relief in the Metropolis may be classed under two heads—charity and Poor Law charities. There are 11 general hospitals with schools, and eight general hospitals without schools; 67 special hospitals; 26 free dispensaries; 35 provident dispensaries; 13 part-pay dispensaries; and five surgical appliance societies. The number of in-patients is 76,898; and out-patients 1,470,398. The total income is £696,258, and the total expenditure is £723,021. The beds unoccupied are about 2,000 in number. To these must be added 27 Poor Law infirmaries, with 11,900 beds, and £336,200 expenditure; 44 Poor Law dispensaries, with 114,980 out-patients, and £19,980 expenditure; eight infectious hospitals, with 2,760 beds, and £129,313 expenditure. The total is as follows:—239 institutions—in-patients, 122,047; out-patients, 1,585,353; total expenditure, £1,208,523; total income, £1,197,477, in the year 1887. I beg your Lordships' attention to the fact that for want of funds upwards of 2,000 beds were unoccupied. Perhaps all the definitions are not clear, and it may be thought I should explain them in passing, though it seems hardly necessary. The term general hospitals with schools would not seem to require explanation. Patients are admitted nominally by letter, but they are practically free. Eleven of them have schools attached, where every sort of disease can be studied. Take, first and foremost, the three great endowed hospitals—St. Bartholomew's, St. Thomas's, and Guy's. Two of these, St. Bartholomew's and St. Thomas's, are of very ancient origin. They were endowed, not by the State or the municipality, but by private individuals, who have given the means for producing the incomes on which they exist, and they do not, or did not formerly, apply to the public. Even of these the income of one (Guy's) was so precarious that two years ago it had to ask the public for £100,000 to enable it to carry on, and at another many beds are

closed, and doubts exist as to their ever being opened again, and certainly they will not be opened entirely for gratuitous patients. Then there are eight other general hospitals with schools. These are the most useful and important schools—all-important for the study of almost all diseases. Their size insures, if well managed, treatment at less expense than the smaller hospitals. They have, for the most part, special departments for special cases, and have the advantage of the very best advice. Some have been able to be structurally altered in accordance with the advance in medical science. In the last 20 years the greatest advances and improvements have been effected in nursing and nurses. In 1887 the deficits of these hospitals alone amounted to upwards of £32,000, and if it had not been for a number of small legacies, with which they were able to pay their way, the deficits would have been upwards of £51,000. So much for the general hospitals. Of the special hospitals, 67 in number, some are special in treatment, but nearly all for special diseases. I am anxious to be moderate, but I must, and will, say what I think, and what those who are with me think. I must also state what I know is the opinion of very large numbers of the medical profession in London. The origin and management of some of the special hospitals have been such as to cause suspicion, where suspicions exist, as to the conduct of hospitals as a whole. They are not unfrequently started for private advantage by those who wish to make themselves consulting physicians or surgeons to them, some are started for speculative purposes, and in neither case is the public welfare or the advance of science considered. They are generally started, as to funds, more or less by some philanthropist, and on that support failing they are thrown on the charitable public. There are no schools; there is no advance of science, and the management leaves much to be desired. Owing to the small number of beds, the administration must be costly. They are sometimes found in insanitary premises, and are built without regard to existing local needs or perhaps in proximity to hospitals; the advice is not of first-rate description, and it is not infrequently the case that there are more beds pro-

vided in the general hospital hard by for the treatment of such special cases than in the special hospital itself. By the names which they assume they deprive the larger hospitals of cases which, in the latter, would be better attended, and from which instruction would be gained. They also attract large sums of money which otherwise would probably find its way to the larger hospitals. My Lords, that is the effect of the evidence which we have been able to collect; but I should like to read to your Lordships the opinions of two individuals—one of them is amongst the foremost of our medical practitioners. The distinguished physician Sir Andrew Clark has vividly described one of the greatest evils in connection with our hospital system in the following words, in a speech at the Hospital Fund Society:—

“Then there is another reason, and that is the foundation and maintenance of improper hospitals, which divert funds in a direction in which they ought not to be employed, and rob the great hospitals of the support which they ought to receive. A doctor who cannot get on in the ordinary way takes to studying the great toe, and he discovers something about it that has never been discovered before. In the course of his studies he ascertains that the diseases of the organ are not only supremely important in themselves, but that they have the most intimate relation to all the other serious diseases of the body. He also invents a wonderful instrument whereby he can look into the great toe and see what is threatening, and prevent all those terrible things which happen in the organ and affect the whole system. He goes to his friends, shows them his instrument, and tells them of his discoveries. They then club together and establish a Hospital for the Treatment of the Diseases of the Great Toe. This hospital is manned by his friends, who, having joined in the venture, must make it a success. They soon get patients who are convinced of the vast importance of the great toe; marvellous cures are effected, and all sorts of frightful diseases are prevented. They have an annual meeting; they have a chairman, who sets forth, bashfully, in the presence of the great physician, the diseases of the great toe, the wonderful things that have been done, the great service which has been rendered by the hospital, the terrible prejudice it has had to encounter, the determination that this great institution shall be liberally supported notwithstanding the prejudices of the medical profession, and of those who herd along with them.”

Then, my Lords, I come to another very eminent authority, Mr. Michelli, the Secretary to the Seamen's Hospital Society, and late Secretary to St. Mary's Hospital, who, in a paper which he re-

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cently read at the Hospital Association on “Hospital Extravagance and Expenditure,” drew attention to the excessive amount spent by hospitals in advertising and collection, printing, stationery, and postage, to the small net percentage of profit that goes to hospitals out of the receipts from bazaars, fancy fairs, and other such means, and to the excessive cost of special hospitals. He says:—

“But what is grievous to see is a small special hospital established within a few hundred yards of a large general hospital, in the former of which there are fewer beds altogether than there are beds allotted to the particular speciality in the general hospital close by. The maintenance of a bed in the small hospitals is often 50 to 75 per cent greater than in a large one; and I maintain that every penny so spent is wicked extravagance and waste.”

He then states that he has gone carefully through some 200 Reports of hospitals, and finds that he can get no information from them. Now, my Lords, the cost per head for salaries and wages in the first of the large general hospitals, with school and 205 beds, is £19 1s. 2d.; in the second, with school and 310 beds, it is £25 0s. 6d.; in one special hospital, with 80 beds, £39 7s. 2d., and in another special hospital, with 64 beds, £35 0s. 9d. In a third, with 16 beds, it is £33 4s. 2d., and in a fourth special hospital, with 14 beds, it is £42 10s. 3d. The average cost per head for nine general hospitals with schools, with average number of beds 295, is £24 5s. 10d. for salaries and wages; whereas for the nine special hospitals, average of 27 beds each, it is £30 12s. 2d. Now, my Lords, these institutions obviously call for inquiry, if for no other reason, yet on account of the figures which I have given. At the same time, the fact must not be ignored that there are some exceptions in the case of two or three institutions of world-wide and well-merited reputation. But the very excellence of these makes the case for an inquiry into these institutions all the stronger. The institutions to which I refer were in existence before the general hospital system was as complete as the special Department now is, and long before the hospital system acquired the excellence which it has now undoubtedly attained. Then, my Lords, I come to the dispensaries. There are 26 freedispensaries, most of which were started before the

out-patient system was developed, combining free treatment both at the dispensary and at home. In these there are 162,219 patients, and they have a deficit of £2,003 in an expenditure of £21,257. Then there are the part-pay dispensaries, in which the out-patients number 102,302, and the deficit was £714 on an expenditure of £9,710. Then we come to another class, the provident dispensaries on the benefit society system, to which subscribers pay both in health and sickness, and which afford relief to the whole family. These institutions thrive best away from the hospitals, and are principally on the outskirts of the Metropolis. In these there were 125,674 out-patients, and income and expenditure nearly balanced each other. Then I come to the great question of the finances of these institutions. I should have mentioned that the special hospitals have a surplus of about £90,000. This financial question is a very simple matter, though it is extremely difficult to get at trustworthy figures. In 1887 the hospital deficit amounted to £32,000, and now the total is about £100,000. But in dealing with these figures it might occur that one hospital might have been so lucky as to receive a very large legacy of £100,000. That would give an average surplus, while only one of the hospitals participated in the legacy. I will give an instance of my own experience in hospital finance. A few years ago, as regularly as the quarter came round, the Chairman of a Hospital Committee with which I am connected used to make a motion for the withdrawal of £3,000 or £4,000 of capital for the payment of bills. He was making the usual motion, when I remonstrated, but was immediately answered that I knew nothing of finance. It may have been all right, but it appeared rather startling. The only way in which these general hospitals have been able to get on is by the legacies which from time to time they receive, and by persistent begging. There is no systematic statement of accounts, and if some organized method of furnishing a statement of accounts were to be adopted, it would be more satisfactory for the staff and for the subscribers. Now, my Lords, I come to another subject on which there is considerable diversity of opinion among those best qualified to judge, and that is

the outdoor departments of the hospitals, of which the dispensaries are really an extension and development. In 1887 the outdoor patients were more than one million and a half, and the number keeps on increasing. These patients often have an almost interminable time to wait, and I have no doubt that many of them are able to pay for attendance and medicine. This is very hard on the small local practitioners who work hard for small fees, and it tends, I fear, to the pauperisation of a very large number of the community. Therefore, my Lords, I should like to put it to the House whether there is not here a legitimate cause for inquiry, and whether something might not be done to check this pauperising system of outdoor relief, so that those in absolute want would be left to the resources of the larger institutions. Now, my Lords, I come to the Poor Law dispensaries. There are 44 Poor Law dispensaries and eight hospitals for infectious diseases in the Metropolis. There are 27 Poor Law infirmaries, which before 1867 were of a very inferior character, in which the diet and nursing were bad, and the nurses were themselves paupers. But in 1867 an Act was passed which produced a very much better state of things, and now they are magnificent State hospitals, built away from the workhouses, in which every modern improvement is to be found. There is never any want of first-rate medical appliances, there is an enormous amount of air and space, and a trained staff. The system adopted with regard to them amounts to this: an individual, after being seen by the relieving officer, is sent to the infirmary. That is intelligible; but there is no security as regards the distribution of medical relief. I will just take a case which shows the system. In Marylebone alone, with a population of 155,000, there were in 1885—one Poor Law infirmary with 700 beds, one general hospital, ten special hospitals, four free dispensaries, one provident dispensary, two Poor Law dispensaries, and one or two charities for gentlewomen. I should think it very likely that a great number of the patients came from adjoining parishes, while the people in Marylebone went to St. George's and other adjoining parishes. There is no system at present by which we can deal with

that. Then again, take Fulham, which is a long way from the centre of the Metropolis. With a population in 1885 of 152,600, there were one general hospital, two sick clubs, one Poor Law infirmary, and one Poor Law dispensary. My Lords, I have some experience of Committees of your Lordships' House, having sat for two Sessions on an inquiry into this system. I do not think an inquiry into these medical charities would be such a difficult matter. If there was an inquiry by a Select Committee of your Lordships' House, they would have the advantage of the evidence of experts, and would be likely to come to a more rapid conclusion than if assisted by experts in a Royal Commission. I would ask the noble Marquess and the noble Viscount to consider the matter, and if they agree that there should be some inquiry, I think it would be most satisfactory. I have been told that such an inquiry is premature, and one of the principal reasons given is that there are in the air several schemes for the improvement of the system, one of which is linking the provident dispensaries to the general hospitals; another, payment in hospitals; another, payment of fees according to means; another—suggested by the Lord Mayor—that of collecting 1d. a week from the wages of people in workshops. These various schemes would, I think, furnish excellent food for reflection if the inquiry I ask for were granted. My opinion is that if we are to wait until such schemes can be put in practice we might have to wait until a very indefinite period. In my opinion, and in the opinion of those for whom I speak, this inquiry ought not to be delayed. I have no wish to bring forward any Motion which would have the ultimate result of placing these hospitals on the rates, though I have no doubt I shall be told that is the tendency of my Motion by those who do not take the trouble to read my remarks. I think it would be a great pity and a great slur upon this Metropolis if we had to confess that these hospitals were failures, because we could not provide adequate means to support them. It is difficult to see how matters are to go on as they are at present. I have framed this Motion with reference only to the hospitals of the Metropolis, although in the Provin-

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cial towns there is a very general opinion in favour of a similar inquiry with respect to their hospitals. I may also say that we have with us nearly the whole of the rising medical profession. I have not put forward any remedy—it would be better that that should come from the Committee when they have thoroughly thrashed out the subject; but I have endeavoured to bring such light as I can to bear on the circumstances in the hope that in the end some system may be evolved from the existing chaos. My Lords, I beg to make the Motion which stands in my name.

Moved, "That the prayer of the said Petition be agreed to."—(*The Lord Sandhurst.*)

*THE LORD PRESIDENT OF THE COUNCIL (Viscount CRANBROOK): My Lords, I am sure your Lordships have listened with great interest to the speech of the noble Lord on a subject which is attracting very much attention at present, and which has attracted great attention in times past. Nobody, I think, will be found to differ from the opinion of my noble Friend—that if we could provide some central organisation for the charities of this Metropolis or of the kingdom we should be doing a great work and an immense deal of good. The danger is lest, if we were to impose an inquiry, the flow of means to the institutions might not be in some cases checked. When you are dealing with voluntary subscriptions, you must beware of checking them by such a step as my noble Friend has suggested. Hospitals generally possess a fixed income from endowments, and there are a great number of them, I have no doubt, offer a proper subject of inquiry; but it is a very different thing when we come to deal with charities which are receiving aid by subscriptions from day to day. There has been, no doubt, an unnecessary multiplication of special hospitals. But they have been set up and are conducted by those who are breaking no law and infringing no rule of society, and who themselves find the means by which they are carried on. That seems to me to be the great difficulty in interfering with them. My noble Friend has referred to what occurred with regard to the Poor Law hospitals in 1867. Previous to that time there was insufficient attend-

ance, insufficient nursing, and no good sanitation. I can speak myself to having seen patients in some of the workhouses lying in a state of dreadful illness two in a bed. But there was a strong feeling in the matter, and with the agreement and concert of all parties a Bill for their improvement was passed, which is, I believe, still in operation with respect to those Poor Law hospitals. With regard to the Motion I can say, on the part of the Cabinet, that the case for inquiry will be considered, and that next Session I may be able to announce to my noble Friend what course the Government propose to take. I can assure my noble Friend that the matter will receive the attention of the Government, and I hope he will be satisfied with that assurance.

THE EARL OF KIMBERLEY: My Lords, I merely desire to say a few words on this subject, because the Committee on which I sat last Session expressed a desire that the Government should consider the whole matter and see whether it would be possible to institute such an inquiry. I entirely agree with the view expressed by the noble Viscount with regard to institutions maintained by voluntary subscriptions; but, at the same time, I should be sorry if that idea should prevent some inquiry into the larger hospitals. An attempt has been made at amalgamation, but it has failed owing to the jealousies and difficulties in the way. Another matter which has not been referred to by my noble Friend is the present condition of the great infirmaries connected with the various Boards of Guardians in the Metropolis. These Poor Law infirmaries have become so important, and are so exceedingly well-managed, as to occupy a very great place in the treatment of the sick. The whole subject is a very large and complicated one, and at the present time I can only say that I am glad to hear the Government are directing their attention to it. An inquiry into the whole subject could not fail to result in considerable advantage to the Metropolis and to the public at large.

Motion (by leave of the House) withdrawn.

The said Petition ordered to lie on the Table.

FREE SEATS IN CHURCHES.

*THE EARL OF SELBORNE, in rising to move—

"For Returns of the 7,703 old parish churches, and the 1,711 new parish or district churches, and the 754 churches in which sittings are held by faculty, referred to in the Report of the Select Committee on the Parish Churches Bill, 1886, as having no pews or sittings rented; with the answers received to the questions of the Committee,"

said: My Lords, from information which I have received I have been led to the conclusion that it would be desirable to have these Returns in order that there may be a more accurate knowledge upon the subject. If these Returns were granted I think they would be useful both to those who desire to see all seats free and open and to those who are willing that assignments of seats temporarily made by churchwardens in a reasonable manner should not be disturbed. I beg, therefore, to move for these Returns. I have agreed that they should contain only such answers to the questions of the Committee as are material, by way of supplement to those already made public.

EARL BROWNLOW: My Lords, I need only say that Her Majesty's Government have no objection to granting the Returns asked for by the noble and learned Earl.

Motion agreed to.

"Returns of the 7,703 old parish churches, and the 1,711 new parish or district churches, and the 754 churches in which sittings are held by faculty, referred to in the Report of the Select Committee on the Parish Churches Bill, 1886, as having no pews or sittings rented; with the answers received to the questions of the Committee": Ordered to be laid before the House.—(*The Earl of Selborne.*)

LUTON NATIONAL SCHOOL.

*EARL BEAUCHAMP: My Lords, in calling attention to the correspondence between the managers of the Luton National School and the Education Department, and moving for further Papers, I shall have to detain the House but a very few minutes. I desire, first, to call your Lordships' attention to the Papers which were circulated last week. It is not my fault that the Papers were not in your Lordships' hands at an earlier date. The order was given by this House some weeks ago, but by some mistake they have been delayed. I need not pursue that subject further.

I do not intend to call attention to any local circumstances connected with the Luton National School, but to invite the attention of the Government to certain passages in the reply of the Education Department to the managers of that school. What I wish to know is where we stand with reference to that answer? The New Code of Education, brought in at the beginning of this year, has introduced several modifications which have created great alarm throughout the country; but I will not trace the history of that New Code, or go into details, as I understand that it has now been abandoned. Your Lordships will remember that at first there was a determination to press the New Code at all hazards; afterwards there was a proposal that it should run concurrently with the old; and at last we arrived at another stage when, as I understand, the New Code has been withdrawn altogether, which, it seems to me, was the only satisfactory mode of dealing with that very unhappy series of regulations. My Lords, the sentence to which I wish to call attention is in the reply of the Education Department to the School Managers of Luton, dated 17th of June last, in which they say they consider that for the purpose of determining whether the applications of School Boards for loans under section 10 of the Act of 1873 should be granted the existing accommodation for older children would not be taken at eight square feet per child. That, my Lords, is a most significant attitude to be taken up by the Department. If I am told that was written under the belief that the New Code which was laid before the House was to become law, then I can understand the situation. I understand, however, that it has nothing to do with the New Code, but has reference to conditions which existed before the New Code came before us. The distinction between the two classes of schools is clear. Where the school is erected by loan as sanctioned by the Department the accommodation is calculated at the rate of 10 square feet; but in voluntary schools the calculation has always been made at eight square feet. Many of the voluntary schools have been in existence for a long time, and they have all been sanctioned by Parliament. In some cases where the managers were desirous of providing more ac-

commodation per child than eight square feet, they have been restricted by the Department to that amount of accommodation, and therefore the managers in many cases are not by any means responsible for the accommodation which now exists. They have in some cases been hampered by the Department in providing accommodation at the rate laid down as the minimum. In 1871 the Education Department had determined that the accommodation for older children in schools must not be less than eight square feet per child, and that in Board Schools the space was to be 10 feet. My Lords, the importance of this question is very great indeed. I will not trouble your Lordships with calculations; but in a paper prepared in Manchester with reference to the New Code, Article 5, to which I may refer, it is stated the effect would be at once to reduce by one-fifth the present capacity of the existing schools, which would entail a large outlay in the case of voluntary schools, or a diminished average attendance and a diminished Grant. The question of the application of this principle resolves itself into two heads, one as regards the school itself and its efficiency, the other as regards the amount of provision in a given area. Your Lordships will see that when you are dealing with large masses of population it makes the greatest possible difference whether 10 or eight square feet per child is to be the rule as regards the voluntary schools; and from the reply of the Department to the managers of the Luton National School it seems to be the intention of the Department to make the area required in voluntary schools 10 feet instead of 8 per child. This change would lessen by one-fifth the number of places supposed to be existing in voluntary schools, and if this basis of calculation were insisted upon it would lessen the number of seats in voluntary schools in London alone by 60,000. Having up to this time calculated on the basis of eight square feet per child, it is now proposed to make use of another calculation which will deprive voluntary schools of one-fifth of their estimated accommodation. My Lords, I should like to be fully informed what are the intentions of the Department on this head. In the Royal Commission on Education the Secretary

Earl Beauchamp

of the Department was asked a question on this point, and he said—"I think the table is prepared on the basis of eight square feet." Now that is an important table. It gives the number of schools, and the number of scholars provided for from 1839 to 1882. The interests at stake in this matter are very great indeed, and I do not think the Department ought to make a change of this magnitude without calling the attention of the public to the matter. The principle is laid down very distinctly as regards Luton that the existing accommodation for older children should not be based upon a calculation of eight square feet, but of 10 square feet. That refers to the voluntary schools at Luton. If it be right to make the change let it be made; but I do not think it is right for the Department to impose that change upon the country, and I call your Lordships' attention to the subject in order that further light may be thrown upon it, seeing that the regulations of the Department would sweep away one-fifth of the accommodation. It is most undesirable, I think, that the Department should act in this legislative manner. Of course, matters of detail arise requiring to be dealt with from day to day; but the Department should not make so serious a change affecting such large interests, and sweeping away so large a portion of the accommodation in the voluntary schools, without further light being thrown upon the matter.

Moved, "That there be laid before this House further Papers respecting the Luton National School and the Education Department."—(*The Earl Beauchamp.*)

***VISCOUNT CRANBROOK:** My noble Friend, when he first brought this matter forward, asked for the Papers which he thought were sufficient for his purpose. I requested him to come and see all the Papers that he might move for what he thought best. He declined that offer, and now moves for additional ones. I think I shall be able to show what these Papers contain, and what has really been the course adopted with regard to this transaction. My noble Friend is quite mistaken in supposing that something new has been undertaken. The practice which has existed ever since

Mr. Forster's time in 1871 has not been departed from, and where a School Board asks for a loan it is only given on the condition that each school place should have an area of 10 square feet, that it shall so use its desks and seats as to make that accommodation good. That has been done for a long period past. In fact at Nottingham it began so long ago as 1871. But this scale does not interfere with voluntary schools. The voluntary schools are left in the condition in which they are. They are able to take in the number which they can accommodate under the existing system; but the calculation as to the future wants of a district is made upon the 10 square feet basis on which the Board Schools are built. But my noble Friend has said this is something quite new and opposed to the recommendations of the Royal Commission. The Royal Commission approved of the rule now in operation, which is a rule under the old Code; and action under this rule was taken in the Luton case. I need not go through the figures, but it appears there is a deficiency of 615 school places for older scholars, and the loan has been made for 410. That is to say, allowance is made for those who are not likely to make a full attendance, and therefore you allow for two-thirds instead of the whole. By that means you get sufficient without imposing too great a tax upon the rates. My noble Friend supposes this will interfere very largely with the denominational schools.

***EARL BEAUCHAMP:** No, I do not raise that.

***VISCOUNT CRANBROOK:** If my noble Friend does not raise it, I do not want to go into it. But my noble Friend seems to suppose there is some stringent rule going to be imposed which will affect the voluntary schools built upon another scale; and I agree with him that it would be unfair and unjust to come down upon voluntary schools and call upon them to enlarge their limits to the 10 feet scale, which, educationally, my noble Friend has put his hand upon in the recommendations of the Royal Commission as an appropriate scale, and as one which is much more fitting for the purpose than the eight feet scale. But, as I have said,

unless the contrary intention appears, be measured in a straight line on a horizontal plane. I must take leave to say that I think the objects of this Bill have been a little misunderstood. Its object is simply to provide an explanation of the meaning of certain words which might not be clearly understood—that people may have in this Bill something in fact like a dictionary before them, which will explain the precise meaning that in law should be attached to certain words. Simply the object is to give the public a dictionary which will enable them to understand the language used in statutes. At present they do not in many cases understand the meaning to be attached to it. My Lords, I think it would be well that there should be some rule, and that the Courts should recognise that rule as enacted by a general statute, unless the contrary intention should appear.

Moved, "That the proposed new Clause stand part of the Bill."—(*The Lord Advocate.*)

LORD THRING: My Lords, nobody will admit more readily than myself the necessity for something of this kind. During my tenure of office I often had to consider what was the meaning of an Act of Parliament, and the labour and trouble involved by uncertainty brought prominently before me that necessity. It is extremely difficult to make everybody concerned in the drawing of an Act of Parliament cognisant of the particular meaning of particular phrases and in respect of certain terms; for instance the trouble involved with regard to the terms "county" and "city" is untold. I would put this case to your Lordships: a Clerk of the Peace in a county wants to consult a particular Act which refers to the service of notices within a certain number of days. How are the days to be computed? Turning to this Act, what does it say?—

"If by the Act any act or proceeding is directed or allowed to be done or taken within any time not exceeding seven days,"

non-working days shall not be reckoned. Now that clause applies only where the notice is to be served within seven days. Then you have the fact that there is not the slightest indication in the Act itself that this Act is referred to, and unless a man knows it by intuition, he would have no means of guidance to this Act.

The Lord Chancellor

That might be provided for by the addition of a formal clause. I maintain, my Lords, with the greatest possible confidence, that the addition every now and then of a formal clause would be a much less serious matter than the fact that all over the country people are constantly making mistakes for want of something of the kind. Another difficulty would arise where the place at which a notice had to be served was within 15 miles, and where the notice had to be served by post.

THE LORD CHANCELLOR: I should like to say one word upon the last observation of my noble and learned Friend. Unless you are to displace two decisions of the Queen's Bench which have never, as far as I know, been shaken, when you speak of distance it must be measured in a straight line. The value which I attach to this and to the other Amendment is that there should be a rule of law by statute, and then the question will simply be what is the construction to be placed upon this Act.

LORD HERSHELL: My Lords, the question would be, what is the commonly-understood meaning of a term used. It is easy to say it shall mean so-and-so unless the contrary is expressed, but if you are to understand it, a plain interpretation of it should be given.

The further debate of the said Amendment was put off to Thursday next.

House adjourned at Seven o'clock,
till to-morrow, a quarter past
Ten o'clock.

HOUSE OF COMMONS,

Monday, 29th July, 1889.

QUESTIONS.

CRIME IN THE METROPOLIS.

MR. HOWARD VINCENT (*Sheffield, Central*): I beg to ask the Secretary of State for the Home Department if his attention has been directed to that passage in the Report of the Commis-

sioner of Police of the Metropolis, just presented to Parliament, in which he says:—

"Crime during the year has shown a decided tendency to increase. This fact may be accounted for to a certain extent by circumstances which affected the administration of the force in a peculiar manner at different periods of the year. The agitation which centred in Trafalgar Square, and the murders in White-chapel, necessitated the concentration, in particular localities, of large bodies of police, and such an increase of force in one quarter of the Metropolis, it must be remembered, is only procurable by diminishing the number of men ordinarily employed in other divisions. In the present state of the force, increase of protection in the East End means diminished numbers of police in other quarters, and so long as the available force is hardly sufficient, as it is just now, for the performance of the ordinary and every day duties of the police, any additional drain on its resources leads to diminished protection against, and consequent increase of, crime;"

and, if, in view of this state of affairs, he will re-consider the suggestion recently made for the formation of a strong reserve, to reinforce when necessary the police of a particular district, without putting an excessive strain on the officers and men of the force or denuding other districts of that reasonable protection for persons and for property to which every locality is entitled at all times to expect; or, failing this, what other steps he proposes to take to deal with what the Commissioner describes as—

"The fact that the force is overworked, and, under such circumstances, crime cannot be met or coped with in a satisfactory and efficient manner?"

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): The suggestion of a reserve to reinforce the police of a particular district is one which I dealt with in answering a question of my hon. Friend's on June 25 last, and I have nothing to add to the answer then given. I have for some time endeavoured to increase the efficiency of the existing police force by a better distribution of it, by augmenting the number of superior officers, by improved means of telegraphic communication, and by arrangements which enable portions of the force to be rapidly moved to any point required. I regret that the available fund does not admit of any very considerable increase in the numbers of the force; but I am

endeavouring, in consultation with the Commissioner, to devise means of satisfying the immediate necessities of the Metropolis.

MR. J. ROWLANDS (Finsbury, E.): Does the right hon. Gentleman contemplate any increase in the charge to the ratepayers of London?

MR. MATTHEWS: No present increase in the charge to the ratepayers.

THE CAVAN MILITIA.

MR. BIGGAR (Cavan, W.): I beg to ask the Secretary of State for War whether complaints have reached him that the officers of the 4th Battalion Royal Irish Fusiliers (Cavan Militia) conducted themselves the last night of the training in a most disorderly manner; and whether Colonel Dease has reported the same to the Authorities; and, if not, why has he so neglected his duty?

THE FINANCIAL SECRETARY FOR WAR (Mr. BRODRICK, Surrey, Guildford): The General Officer commanding in Ireland states that he has received no report of any such irregularities. The Officer commanding the battalion has been directed to report to the Adjutant General, but no communication has yet been received from him.

IRISH SCHOOL TEACHERS.

MR. MACARTNEY (Antrim, S.): I beg to ask the Solicitor General for Ireland whether he can give the names of the teachers mentioned in the Donegal Industrial Fund Report, page 2, paragraphs 4 and 12, as having taught in the villages and districts of Inver, Mount Charles, Donegal, and Barnes More; the periods during which they taught in these villages and districts respectively; the names of the pupils who attended in these villages and districts respectively; and whether Miss Boyle continued to teach during the whole of last winter session; and, if not, when did she cease to do so?

THE SOLICITOR GENERAL FOR IRELAND (Mr. MADDEN, Dublin University): There are no official records giving the information sought in this question. But Mrs. Ernest Hart has been good enough to furnish the following observations:—

"At Inver and Mount Charles the teacher was Mr. F. R. Fletcher, certificated teacher of the City and Guilds Institute in Weaving and

I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the matter of the National Labourers' Union. I am sorry to hear that the matter is still unsettled. I have not been informed of the conditions under which the last Annual General was held, nor have I any information as to the expense of management of the Union. Under the present reference it is obviously impossible for the Select Committee to extend their inquiry into the affairs and constitution of the National Labourers' Union.

Mr. ROBERT POWELL (London):
I beg to ask the Secretary of State for

1. The first thing I noticed when I stepped out of the plane was the cold. It was a sharp contrast to the warm, humid air of the tropics. I had heard that the weather in the north was harsh, but I didn't realize just how cold it would be. The wind was biting, and the sun felt like a distant, weak light. I wrapped my coat around myself, feeling a sense of vulnerability. I had never before, and I was alone in a strange land. The people around me were dressed in heavy coats and hats, their faces pale and serious. I felt like an intruder, a stranger in a strange land. I had come here for a reason, but I didn't know what it was. I was just a man, a man with a name and a story, and I was here, in this cold, desolate place, feeling like I had been thrown into a world I didn't understand.

[illegible]

elucidation of the facts if I gave such orders as my hon. Friend suggests.

LUNACY LAWS—CASE OF MR. J. E. MIERS.

MR. WILLIAM CORBET (Wicklow, E.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of Mr. J. E. Miers, who has been placed, as an alleged lunatic, under the care of a doctor at Marazion, Cornwall, as a single patient in an unlicensed house; whether he is aware that Mr. Miers has complained of his treatment in this establishment; and, whether he will inquire if the Lunacy Acts have been fully observed in the case, especially the 16 and 17 Vic. c. 96, s. 14?

MR. MATTHEWS: I am informed by the Commissioners in Lunacy that they are fully acquainted with the case of Mr. J. E. Miers, who was visited by one of them at Marazion on April 30th. The Visiting Commissioner was satisfied that Mr. Miers, whose detention by the medical gentlemen in charge of him is perfectly regular, was insane. Mr. Miers did not, on the occasion of the above visit, complain of his treatment, nor has he complained of it by letter to the Commissioners. Complaints were made by a resident in Marazion with whom Mr. Miers is acquainted of the use of rough language by Mr. Miers's attendant. Mr. Miers had, however, expressed himself to the Visiting Commissioner as satisfied with his attendant. The provisions of the Lunacy Acts have been fully observed in this case.

THE WHITECHAPEL OUTRAGES.

MR. BEAUFOY (Lambeth, Kensington): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the fact that a man was charged at Leman Street Police Station, on Friday, 19th July, with having assaulted a woman by dragging her to the ground by her hair and stabbing or attempting to stab her with a knife, but was subsequently discharged without any effort having been made to find the woman; and, whether, in consideration of the excitement and alarm caused by these outrages on women in Whitechapel, he will give instructions that all persons so charged shall be detained until full inquiry has been made?

MR. MATTHEWS: Yes, Sir; my attention has been called to this case, which was an attempt by a woman to rob a sailor who had been drinking. The case does not belong to the category of outrages on women such as have taken place in Whitechapel, but was nothing but a stupid threat on the part of a drunken man. There is no occasion for me to give further instructions to the police. They do detain persons against whom charges are made until full inquiry has taken place.

INFANTRY QUARTERMASTERS.

SIR JOHN SWINBURNE (Staffordshire, Lichfield): I beg to ask the Secretary of State for War whether, in view of the fact that Quartermasters who were fortunate enough to obtain appointments in the Pay Department, as well as those in the Ordnance and Commissariat Department, are entitled to count full rank service up to 10 years, he will consider the desirability of extending that privilege to Infantry Quartermasters promoted before 1st July, 1881; and, whether he is aware that, if that change were brought about, only 17 Quartermasters would be affected, and consequently the existing grievance could be redressed at a trifling cost?

*MR. BRODRICK: The whole question of the position of Quartermasters has recently been considered with great care, and important concessions made to them; and, under the circumstances, the Secretary of State is not prepared to reopen the subject.

INCREASE OF INSANITY.

MR. WILLIAM CORBET: I beg to ask the Secretary of State for the Home Department if his attention has been called to the continued increase of insanity as shown in the Report of the Commissioners in Lunacy just presented; whether he has observed that the increase for the past year is 1,697, the average annual increase for the preceding 30 years being 1,547; whether the following passage in the Report has been brought under his notice:

"It is to be feared that there are still many insane persons in illegal charge who, if certified and brought under official cognizance, would have swelled the number of private patients;"

whether he will consider if any means can be devised to arrest the spread of

the disease; and what steps will be taken to find out where the persons, supposed by the Lunacy Commissioners to be illegally confined, are detained?

MR. MATTHEWS: I am informed by the Commissioners in Lunacy that in their opinion the annual increase in the number of registered lunatics, idiots, and persons of unsound mind, as shown in the Returns, appears to be mainly due to the accumulation of chronic pauper cases. It has not been established that there is any material annual increase of fresh cases of insanity out of proportion to the increase of population. With regard to cases of illegal detention, it is the practice of the Commissioners to investigate all clues, and to take proceedings against persons found to be infringing the law. Prosecutions have usually been followed by the discovery of fresh cases previously unreported.

NATIONAL EDUCATION IN IRELAND.

MR. M'CARTAN (Down, S.): I beg to ask the Solicitor General for Ireland whether the subscriptions paid by pupils towards National Education in Ireland are less per cent of average attendance in County Antrim than in any other county in Ireland; and whether he will state the number of model schools in County Antrim, and if there is a larger number in any other county?

MR. MADDEN: The Commissioners of National Education report that it is not the case that the "school pence," which is the designation of the money paid by pupils in National schools, is less in the county Antrim than in any other county in Ireland. On the contrary, the amount per head in average daily attendance is, with one exception, higher in the county Antrim than in any other county in Ireland. There are four model schools in the county Antrim. There is not a larger number in any other county.

IRELAND—DISCHARGING FIREARMS IN A STREET.

MR. M'CARTAN: I beg to ask the Solicitor General for Ireland, with reference to the case of John White, the bailiff who fired off a revolver in the direction of the girl, Ellen Gorman, on the public road at Woodford, whether it is an offence punishable by fine or imprisonment to discharge firearms in

any street or within 60 feet of the centre of a public road; and whether, considering the information sworn by Mrs. Mary Gorman, the mother of the girl, and the promise made by the District Inspector of Constabulary that the matter would be attended to, he will state why the police have taken no steps against White for the commission of this offence?

MR. MADDEN: The hon. Member appears to be under a misapprehension. Mr. White is not a bailiff; but a farmer holding upwards of 60 acres of land. The offence is punishable, as stated, upon conviction. The District Inspector did report the matter to the Divisional Commissioner, who caused inquiries to be instituted, and found that, although Mr. White had acted improperly in discharging the revolver on the public road, he had not done so with the object of frightening the children, nor does he appear to have had the intention of committing any offence. The Divisional Commissioner decided that it was not a case for the police to prosecute.

MR. ROWNTREE (Scarborough): May I ask whether it is true that in this case the Magistrates before whom the information was laid bound over the woman to appear and give evidence under a penalty of £20?

MR. MADDEN: If the hon. Member requires further information, he had better give notice.

AUSTRALIA—NATURALISATION OF FOREIGNERS.

MR. HENNIKER HEATON (Canterbury): I beg to ask the Under Secretary of State for the Colonies, or the Under Secretary of State for Foreign Affairs, whether his attention has been directed to a statement made by the Attorney General of South Australia, to the effect that naturalisation of foreigners in any of the Australian Colonies confers no rights beyond the limits of the particular colony in which letters of naturalisation are granted; and whether it is a fact that a German or other foreigner who has become naturalised in South Australia must, in the event of his removal to the United Kingdom or to any of the other Australian Colonies, take out fresh letters of naturalisation if he desires to remain a British subject?

Mr. William Corbet

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de Worms, Liverpool, East Toxteth): I have not seen the statement referred to, but it appears to be a correct statement of the law. A foreigner who is naturalised in a British Colony must, as I understand, if he removes to another part of Her Majesty's Dominions procure fresh letters of naturalisation in that part in order to obtain the rights of a British subject there.

WEST INDIA MAILS.

MR. PROVAND (Glasgow, Blackfriars, &c.): I beg to ask the Postmaster General if the Government has at present under consideration any new contract for the conveyance of the West India mails; and, if so, in what newspapers and on what dates did the Government advertise for tenders, and will this House have an opportunity of considering the terms of the proposed contract before it is agreed to?

THE POSTMASTER GENERAL (Mr. RAIKES, University of Cambridge): The reply to the first part of the hon. Member's question is, Yes. Tenders were advertised for in three consecutive issues beginning on the 16th of October, 1888, of the *Times*, *Daily News*, *Standard*, *Shipping Gazette*, *Contract Journal*, *Liverpool Daily Courier*, *Scotsman*, *Glasgow Herald*, *Greenock Herald*, *Southampton Times*, and *Liverpool Journal of Commerce*. Any contract made for a term of years upon the basis of a tender received for the service in question would, as a matter of course, contain the usual clause prescribed by the Standing Orders of the House, with the view of subjecting such contracts to the authority of Parliament. The contract will be submitted for the consideration of the House in the usual course.

POSTAL ORDERS.

MR. LEGH (Lancashire, S.W., Newton): I beg to ask the Postmaster General if he will consider the advisability of issuing postal orders of the value of one guinea?

MR. RAIKES: In reply to my hon. Friend I have to say that the question of issuing postal orders for the sum of a guinea was carefully considered when the Postal Order Act was introduced; but the Government, in view of the opposition offered to the measure, agreed to

restrict the orders to sums not exceeding £1. It was thought that no great hardship would result to persons wishing to transmit a guinea by post, as it was easy for them to obtain an order for a sovereign and to send with it a shilling's worth of penny stamps.

H.M.S. "SULTAN."

SIR GEORGE BADEN-POWELL (Liverpool, Kirkdale): I beg to ask the First Lord of the Admiralty whether he can give the House any further information as to the safety of H.M.S. *Sultan*; whether the total sum to be paid to the salvors is £50,000; and, whether the Government becomes repossessed of the hull and all that is on board?

THE FIRST LORD OF THE ADMIRALTY (Lord G. HAMILTON, Middlesex, Ealing): A telegram from the Admiral Superintendent at Malta on Saturday last reports that a preliminary pumping trial on board the *Sultan* had taken place, and that the water in her had been reduced 30 inches in four hours; but that he did not anticipate any news of importance with regard to her for the present. The total sum to be paid to the salvors for placing the ship in dock at Malta is £50,000. The ship, and everything on board her, is the property of the Crown.

IRELAND—DR. H. B. SEALY, J.P.

MR. MORROGH: I beg to ask the Solicitor General for Ireland if his attention has been drawn to the following passage in the report which appears in the *Cork Herald*, of 17th July, of the trial of Michael Donovan, at Ballinaspittal Petty Sessions:—

"On the Bench was Dr. Hungerford Baldwin Sealy, lately made J.P., one of the party who were returned for trial last August at Bandon, for riotous assembly, and illegally breaking into a tenant's house. On that occasion the inmates, including a woman and two helpless children, were assaulted by Dr. Sealy and his companions. Proceedings were taken against them, and they were returned for trial, the chairman being the very Mr. Cronin along with whom Dr. Sealy was adjudicating yesterday;"

whether it is true, as alleged, that Dr. Sealy was appointed a Justice of the Peace while a criminal charge was hanging over his head; and, whether he will call the attention of the Lord Chancellor to the part Dr. Sealy is alleged to have played on the occasion?

MR. MADDEN: I understand that Dr. Hungerford Sealy, a gentleman of independent position, was appointed last year to the Commission of the Peace for the County Cork on the recommendation of the Lord Lieutenant of the county in the ordinary way. It appears that proceedings were initiated by a tenant against Dr. Sealy, and that there were counter proceedings against the tenant. These charges appear to have arisen out of some disputes which have been long since settled. I am informed that no bill in the case was sent up to the Grand Jury. The Lord Chancellor for Ireland sees no reason to take any action in the matter.

BALLYCOTTON HARBOUR.

MR. FLYNN (Cork, N.): I beg to ask the Secretary to the Treasury if it is a fact that the Commissioners of Public Works, Ireland, have recently communicated with the Grand Jury of County Cork with a view to the latter body taking over the Ballycotton Harbour Works; that the Grand Jury, acting on the Report of the County Surveyor, have refused to assume the responsibility of taking up these works; and, if he can state if any steps are being taken meanwhile to place the pier under the control of some responsible person? I also wish to ask whether the attention of the hon. Gentleman has been called to the Report of Mr. Wolfe Barry, with reference to this pier, in which he recommends that the old pier be removed; that the holes or splits in the wall towards the sea be filled up with cement bags; that the paving, where sunk, be taken up and relaid evenly; that a layer of sound concrete be placed under the pavement instead of the stuff which is there, and which has been condemned; and that galvanised iron bands be placed round the pierhead to prevent it from falling; and, will he state whether the Irish Board of Works have taken any steps towards remedying the works specified in the Report of Mr. Wolfe Barry?

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): I am informed that, the harbour of Ballycotton having been legally handed over to the Grand Jury of the County of Cork, that body cannot by a Resolution divest itself of the responsibility for the harbour after the transfer, and

is, in fact, now legally responsible for it. I do not think that the terms of the hon. Member's question accurately represent the recommendations made by Mr. Wolfe Barry, nor could I deal with them within the limits of an answer to a question. It will probably be sufficient if I state that tenders have been called for for the deepening of the harbour where recommended by Mr. Barry, and that that work will be first carried out. As regards the present condition of the pier, perhaps the hon. Member has not seen the annual Report of the Board of Works for 1888-9, recently circulated, which shows that there has been no alteration in the levels of the pier since the date of Mr. Barry's visit.

MR. FLYNN: Is the hon. Gentleman not aware that the Report of Mr. J. Wolfe Barry, the very eminent engineer, was made in December of last year, and that nothing has since been done to carry out a single one of the recommendations made by Mr. Barry; and, furthermore, that the Grand Jury, in their Report last week, state that depressions are becoming greater, and that the pier is falling more and more into a dilapidated condition daily?

MR. JACKSON: I have not seen the Report of the Grand Jury to which the hon. Member refers; but I am prepared to say of my own knowledge, after having investigated the circumstances myself, that the representations made in regard to this harbour are exceedingly exaggerated. Since Mr. Barry's Report in December last no inconvenience has been occasioned in carrying out his recommendation. There have, however, been some technical difficulties in the way; but they have not been of such a nature as to prevent the necessary improvements from being proceeded with.

MR. FLYNN: I beg to give notice that at the proper time I will enter into this matter.

FOREIGN AND COLONIAL POSTAGE.

MR. HENNIKER HEATON: I beg to ask the Chancellor of the Exchequer, referring to the correspondence between the Secretary of State for India and the hon. Member for Canterbury, dealing with the complaint of the latter, that the postage to India from England is 5d. per half ounce for letters, while it is 2½d. per half ounce for letters from

France, Germany, and Russia to India, and also with the fact that the postage on newspapers to Ceylon is 1½d. each, while it is only 1d. to Australia, 5,000 miles further, whether he has received a Report from the Postmaster General, to whom he referred the correspondence, and what action is intended to be taken in regard to the question?

*THE CHANCELLOR OF THE EXCHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): The point of the question of my hon. Friend is in the end—what action is intended to be taken in the matter. My answer is that no action is intended to be taken.

THE INDIAN BUDGET.

MR. BRADLAUGH (Northampton): May I ask the First Lord of the Treasury, as we are now approaching the end of the Session, when the Indian Budget will be taken?

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I am very glad, indeed, to have an assurance from the hon. Member that we are approaching the end of the Session. I am afraid, however, that I cannot now state when the Indian Budget will be brought forward. Certain measures must be passed and further progress made with Supply before the Indian Budget can be taken.

MR. BRADLAUGH: Is it possible for two days' notice to be given of the Indian Budget?

*MR. W. H. SMITH: Without entering into an absolute pledge—the difficulty of doing which at this period of the Session the hon. Member is aware of—I will endeavour to give the notice which he desires.

MR. CONYBEARE'S IMPRISONMENT.

MR. MACNEILL (Donegal, S.): I beg to ask the Chief Secretary for Ireland whether it is not the fact that Mr. Conybeare, now a prisoner in Derry Gaol, has lodged a complaint that his eyesight is being injured by the glare of the whitewash on the walls of his cell, and whether steps will be taken to have the walls of the cell washed with some colour that will not be injurious to the eyesight of the occupant?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): Notice of this question

having reached me only a few minutes ago, I am therefore unable to answer it. But I can assure the hon. Member that every precaution will be taken that neither Mr. Conybeare's nor any other prisoner's eyesight shall suffer in any Irish prison.

MR. MACNEILL: Will the right hon. Gentleman telegraph to Ireland about the matter?

MR. A. J. BALFOUR: I cannot promise to telegraph, but I will obtain information on the subject.

BUSINESS OF THE HOUSE.

SIR J. SWINBURNE: Will the Tithe Rent-charge Recovery Bill be put down as the first Order for to-morrow?

*MR. W. H. SMITH: No, Sir.

DR. FARQUHARSON (Aberdeenshire, W.): Will the Lunacy Act Amendment Bill be taken this week?

*MR. W. H. SMITH: I hope that it will be taken this week, and that it may be reached even to-morrow.

MR. FLYNN: When will the Irish Estimates be taken?

*MR. W. H. SMITH: There is certain business on the Paper for this week with regard to which progress must be made. But communications are passing between my hon. Friend the Secretary to the Treasury and hon. Members from Ireland with the object of arranging a day.

MR. W. A. M'DONALD (Queen's County, Ossory): Will the Adjourned Debate on the Second Reading of the Barrow Drainage Bill be proceeded with this evening?

MR. A. J. BALFOUR: There will not be time.

MR. ESSLEMONT (Aberdeen, E.): When will the consideration of the Universities (Scotland) Bill be proceeded with?

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): We shall take it to-morrow.

IRELAND—IMPRISONMENT OF

DR. TANNER.

MR. SEXTON (Belfast, W.): I beg to ask the Chief Secretary whether he is aware that Dr. Tanner has to-day been sentenced to one month's imprisonment with hard labour, and has been refused an increased sentence to allow of an appeal, and whether he has received

further sentence of three months' imprisonment for alleged contempt of Court?

MR. A. J. BALFOUR: I must ask for notice of the question.

MR. SEXTON: May I ask the Solicitor General for Ireland whether a Justice has power to inflict a longer sentence than seven days' imprisonment for contempt of Court?

MR. MADDEN: I cannot answer the question until I know the facts of the case.

LONDON COUNTY COUNCIL MONEY, BILL.

MR. H. H. FOWLER (Wolverhampton, E.): May I ask whether the Bill, which is on the Paper, for further amending the Acts relating to the raising of money by the London County Council, and for other purposes, is a Government Bill? If it is, will the Government also bring in similar Bills for other County Councils than that of London?

*MR. W. H. SMITH: Yes, Sir; this is a Government Bill, and in introducing it we are following the precedent of what was done in the time of the Metropolitan Board of Works. The Government are required, under the powers inherited by the London County Council, to bring in this Bill; but I hope an arrangement will be made by which the Government will be relieved from this responsibility in the future.

CRETE.

MR. LEGH: I beg to ask the Under Secretary of State for Foreign Affairs if it is the case that the inhabitants of Crete have expressed a desire to be placed under British protection?

THE UNDER SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir J. FERGUSON, Manchester, N.E.): My answer is certainly not.

ADVERTISEMENT RATING BILL (No. 35.)

Lords Amendments to be considered forthwith; considered, and agreed to.

BOARD OF AGRICULTURE BILL (No. 285.)

Lords Amendments to be considered upon Wednesday next, and to be printed. [Bill 355.]

Mr. Seaton

CHARITABLE TRUSTS RENT CHARGES.

Ordered. "That the Order made upon the 17th day of July, 1885, for a Return relative to Charitable Trusts' Rent Charges, be read, and that so much thereof as relates to the Committee of Warwick and Worcester be discharged." — Mr. James William Louch.

MESSAGE FROM THE LORDS.

That they have agreed to the Telegraphs (Isle of Man) Bill; Small Debts (Scotland) Bill; Amendments to the City of London Police Bill [Lords] without Amendment.

MOTION.

LONDON COUNTY COUNCIL (MONEY) BILL.

On Motion of Mr. Jackson, Bill to further amend the Acts relating to the raising of money by the London County Council, and for other purposes, ordered to be brought in by Mr. Jackson and Mr. Chancellor of the Exchequer. Bill presented, and read first time. [Bill 356.]

ORDERS OF THE DAY.

THE ROYAL GRANTS.

MESSAGES FROM HER MAJESTY (PRINCE ALBERT VICTOR OF WALES AND PRINCESS LOUISE VICTORIA OF WALES) (2ND JULY).

Considered in Committee.

(In the Committee.)

Question again proposed,

"That in order to prevent the necessity for repeated applications to Parliament on behalf of the Royal Family, and to establish the principle that the provision for children should hereafter be made out of Grants adequate for that purpose which have been assigned to their parents, it is expedient to grant to Her Majesty, out of the Consolidated Fund, an annual sum not exceeding £36,000, to continue until six months after the demise of Her Majesty, and to be applied for the benefit of the children of His Royal Highness Albert Edward Prince of Wales."

MR. J. MORLEY (Newcastle-on-Tyne) rose to move, as an Amendment, to leave out from the word "That" and insert—

"In the opinion of this Committee no adequate grounds have been shown for a proposal which increases the charge on the Consolidated Fund in order to make provision for younger members of the Royal Family, and, while adding to present burdens, leaves room for future claims of the same character."

Mr. C. W. RADCLIFFE COOKE (Newington, W.): I rise to a point of order. I wish to ask your ruling. Mr. Courtney, upon a point of order. I wish to know whether the Amendment of the right hon. Gentleman the Member for Newcastle (Mr. Morley), is in substance and in form an Amendment to the original question before the Committee, or whether it is not a simple negation of the Motion before the Committee? The Amendment runs thus—

“That in the opinion of this Committee no adequate grounds have been shown for a proposal which increases the charge on the Consolidated Fund in order to make provision for younger members of the Royal Family, and while adding to present burdens, leaves room for future claims of the same character.”

I contend that every Motion is supported in this House on grounds, and those who vote for Motions do so because they think the grounds for them are adequate; and those who oppose them do so because they think the grounds are not adequate. Therefore to assert that there are no adequate grounds for the Motion before the House does not justify an Amendment. I therefore desire the ruling of the Chair as to whether this is not in substance and in effect a negation of the original Motion and not an Amendment.

THE CHAIRMAN: No doubt the success of the Amendment would set aside the original proposal. But the original proposal is argumentative, as is the Amendment, and therefore I discern no reason why the Amendment should not be moved.

Mr. J. MORLEY: Without going into the matter, Sir, which the hon. Member has just raised, I may state that it occurred to me when framing this Amendment that of course it would be open to the objections the hon. Gentleman has stated. But so are all amendments. I bring forward this Amendment in fulfilment of a promise which I made on Thursday night, because I conceive that the Amendment as I have framed it is the proper Parliamentary way of stating our objections to the proposal which the Government has made. I could not support the Amendment of the hon. Member for Northampton (Mr. Labouchere) because that Amendment seemed to me to involve a very serious breach of Parliamentary precedent and to be a discourteous

method of dealing with the Message from the Throne. Before going further I should like to protest against a certain misrepresentation of fact made by the hon. Gentleman the Under Secretary for India on Thursday night. The hon. Gentleman said that the proposals originally submitted to the Committee upstairs by the right hon. Gentleman were in fact in no respect different from the proposals which are now before the House. The hon. Gentleman must really believe that the memories of the Members of that Committee and of this House are very short. Those original proposals involved an annual charge, contingent upon the marriages of the Prince of Wales's family of £49,000, and they involved a capital sum of £30,000, which would have led to three separate applications to Parliament. Further, there was a demand for the sons of the younger children of Her Majesty, making, on the most moderate allowance under the last head, a contingent total of £70,000 or £80,000, and involving a deliberate and formal assertion by Parliament that it would provide for the children of the younger children of the Sovereign. There is a complete change between these proposals and those which the Government afterwards accepted. But I only mention this to point out the want of consideration with which Her Majesty's Government approaches this delicate and difficult subject. I remember that when the present adjustment of offices in the present Administration was made the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone) pointed out the inconvenience which would be almost sure to arise from the fact of attaching all the responsible duties of Prime Minister to a Minister so burdened with exacting and absorbing duties as the Foreign Secretary. I cannot but suspect that the miscarriage and muddling which has marked the present transaction are due to the fact that there is not now the active and vigilant supervision exercised which is the natural function of a Prime Minister; and this is particularly a matter with which the Prime Minister would have to deal with, look forward to, and prepare for. There is another of Her Majesty's Ministers to whom I am obliged now to refer. I am sorry that the President of the Board of Trade is

into that, because that compact has been fulfilled. Parliament has provided for every one of Her Majesty's children; and after this Resolution is passed, and the Bill which is founded upon it is passed, the provision for the Royal Family will stand at a considerably higher figure than it has stood at, I believe, any time this last 40 years. In 1860 it stood at £110,000, in 1870 at the same figure, in 1880 at £146,000, and next year it will stand at £182,000; therefore it cannot be said that we have in any degree failed to comply with the most exacting interpretation of the compact of 1837. The noble Lord also said that Her Majesty would, under the terms of the present arrangement, have to provide for 14 children. I can only make 12; but probably the noble Lord is right. But he forgets that in every one of these cases provision was made for the parents of those grandchildren. The third fact which is to be borne in mind when we call upon the Government to state the grounds on which they come to the Consolidated Fund for this demand is the enormous accretion to the revenues of the Duchy of Lancaster. The fourth fact is the admitted circumstance that Her Majesty has accumulated considerable savings, and in this regard I must repeat what I formerly stated—that I think it would have been judicious on the part of the Government if they had confided to the House of Commons information upon the point of Her Majesty's savings which they thought it just and relevant to confide to the Committee upstairs. They would not have made their case any more difficult, it would have tended very much to soothe some at least of the irritation in the public mind, and I think it would have been just both to the Crown and to Parliament. One more circumstance made us unwilling to recognise the necessity of these Grants, and that was the circumstance set forth in the Amendment moved by the right hon. Member for Mid Lothian—the consideration of possible retrenchments in connection with offices in the Royal Household and otherwise. It is quite true that nothing could be more ungracious, I would even say more intolerable, than to press for those retrenchments if they were likely to cause personal anxiety to Her Majesty, now in the autumn of her life. But we

all know that that is not a necessary and essential condition. We all know that Her Majesty will have at her service the most skilled and expert advice that could possibly be found, and it was said, I know not with what truth, that an investigation by a Departmental Committee, or a body of gentlemen acquainted both with the circumstances of the Royal Household and the maxims of Treasury management, was being conducted. If that be true, it shows that it is in the mind of Her Majesty's Ministers that these retrenchments could be effected without causing Her Majesty either anxiety or inconvenience. Those considerations were the reasons which made us go into the Committee, believing that no good case could be made out for this new charge on the Consolidated Fund. I think the hon. Gentleman said—at all events, I think it has been said—that we assented to a Grant of £40,000 or of £36,000; as a matter of detail, what I and my hon. Friends the hon. Member for Bedford (Mr. Whitbread) and the hon. Member for the College Division of Glasgow (Dr. Cameron) argued for was a much smaller sum. I believe it is open to my right hon. Friend who is about to follow me to say there was inconsistency in the position that, while maintaining that no grounds were shown for those Grants on the Consolidated Fund, we were willing at the same time to assent to a compromise. I am ready to bear that charge. The suggested compromise was a serious attempt to secure something like unanimity. It failed, for very good reason, and I hold that we were well justified in breaking off the compromise when and where we did. We wished that, whether notice was given before to the Sovereign in connection with these Grants or not, there should, at all events, be no mistake as to notice being given now. We wished, at all events, there should be no re-assertion of a claim which we were prepared to deny. But I hope the Committee will see how the thing was left after two remarkable declarations made on Friday night last—one by the Chancellor of the Exchequer and the other by the noble Lord the Member for Rossendale (the Marquess of Hartington). The Government were distinctly and repeatedly challenged to say whether they, as Ministers of the Crown,

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now gave notice that in future none of those claims would be admitted. I asked even a little more particularly, but I got no answer,

"Whether they would explicitly bind themselves to a declaration against a claim for grandchildren of the Sovereign beyond the children of the Prince of Wales during the present reign?"

The only answer I got to that plain question was merely the *facit* of the Under Secretary for India. The Chancellor of the Exchequer used this language, which will be scrutinised when next the Civil List comes to be settled:—

"We say that both precedent and all that has taken place establish the fact that if Her Majesty had chosen to make a demand on the liberality of Parliament it would have been the duty of Parliament to meet the claim. . . It would have been a shabby thing if at the point of the bayonet we had flinched from the assertion of a principle and a claim which we believed to be just."

Well, Sir, that is a notice, indeed; but it appears to me to be a notice in exactly the wrong direction. It is notice, at the next settlement of the Civil List, that, in the view of the Chancellor of the Exchequer, deliberately stated, that claim did exist. But he said more:—

"We believe that, acting on the advice of her Ministers, the Queen has exercised a wise discretion in not pressing that claim upon the present occasion."

He went on to refer us to the words of the Resolution:—

"We go to the full extent of our declaration. We do not go back from that declaration; we do not go beyond it."

Well, but it was exactly that declaration against which my right hon. Friend the Member for Mid Lothian formulated his Amendment. He had so little confidence in the security furnished by the wording of that declaration that he moved the Amendment, and the fact that he did so showed that in his view, at any rate, the declaration on which the right hon. Gentleman relies was unsatisfactory and insecure. When a future Chancellor of the Exchequer comes down to examine the foundation of a future settlement he will find from those declarations, and still more from those which I am about to refer to, that notice was not given against the principle of Parliamentary obligation for grandchildren, but that, on the contrary, the Chancellor of the Exchequer refused to give the notice confining Her Majesty's

waiver to the present occasion and reasserted the justice and the principle of the claim. I must dwell on the words, almost more important still, of the noble Lord the Member for Rossendale. He said:—"We have secured a limited finality." Well, Sir, a finality which is not final is rather like the end of eternity, of which my hon. Friend spoke, and the expression justifies all the apprehensions we have entertained. The noble Lord went on:—

"When the House is engaged in the settlement of the next Civil List, it can either provide that that Civil List shall be framed on the basis of providing for the State and personal expenditure of the next Sovereign, and funds created for the provision of such sum as may be required for the maintenance of his children and their descendants, or if the wisdom of Parliament shall decide that the next Sovereign shall be held responsible for those expenses, the money would be allotted to him."

These words mean that the future Sovereign's children and grandchildren are to be provided for by Parliament by the creation of funds—created for them directly—or by such allocation of the funds of the Sovereign as shall make him responsible for his children and grandchildren. In either case the obligation on Parliament to make provision for the children and grandchildren, and even for the descendants, of the Sovereign is asserted and recognised. The noble Lord now says exactly what I predicted on Thursday night the future Chancellor of the Exchequer would say. He says—

"When the Prince of Wales ascends the Throne, I presume it will be admitted by most hon. Members of this House that provision will have to be made in some way and by some persons, not only for the children, but also for the grandchildren of the Sovereign. I am not assuming that that provision will necessarily have to be made by Parliament, but I am assuming it is admitted that, either by the Head of the Family or by Parliament, provision will have to be made for the future descendants of the King of England."

In both of these passages the noble Lord used the expression descendants, and he used the expression children and grandchildren, and therefore he recognises and establishes that assertion which caused us to break off our compromise. I submit the position taken up by my right hon. Friend proves our whole case for breaking off when our Amendment was voted down. The announcement of my right hon. Friend shows that in his mind the intention was

to keep alive and to reserve for future use the right of the grandchildren to Parliamentary provision. I think any candid man will find in these two passages a complete excuse and justification for the course which we, with infinite reluctance, feel ourselves bound to adopt. This language of the noble Lord and of the Chancellor of the Exchequer, and the position taken up by them and by the Government, if they mean anything, can only mean that the younger children of the Royal House, instead of melting away like the younger children of noble houses into the pursuits and into the positions of other men, are to continue for almost indefinite generations bearing titles which in them have no meaning, and surrounding themselves with an etiquette and state that in them is only superfluous and spurious, adding no dignity to the Royal office, and not increasing either the happiness or self-respect of their own lives, constituting an embarrassment to themselves and an embarrassment to the community. It is in this view that I have put down my Amendment on the Paper, and it is for the reasons that I have already stated that I now beg to move the Amendment which stands in my name.

Amendment proposed,

"To leave out from the word 'That,' to the end of the Question, in order to add the words 'in the opinion of this Committee no adequate grounds have been shown for a proposal which increases the charge on the Consolidated Fund in order to make provision for younger members of the Royal Family, and, while adding to present burdens, leaves room for future claims of the same character,'"—
(*Mr. John Morley*)—

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. J. CHAMBERLAIN (Birmingham, W.): I have listened with very great interest to the speech which has just been delivered by my right hon. Friend, but I must add that I have listened to it with some measure of disappointment. My right hon. Friend apologised for the length of that speech. I complain of its brevity, because it appears to me that my right hon. Friend has entirely failed to give to the House any sufficient indication of the reasons which have influenced him, in the first place, to vote against the

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Amendment of the hon. Member for Northampton, and then to propose the same Amendment himself, though in different terms, two or three days later. My right hon. Friend commenced his speech by attacking individual Members of the Government, and he went on to attack the Government as a whole for having muddled and miscarried in this business. That, of course, is natural; it is the sort of language we expect from an Opposition. Then my right hon. Friend made a most eloquent and, perhaps, as the majority of the House would consider, a most unnecessary defence of the Monarchy. The Monarchy, he said, is woven into the web of our national life, and it appeals to his historic imagination. The only thing it does not appeal to is the right hon. Gentleman's purse. He then went on to attack these Grants and to give reasons, every one of which would have sounded with great force in the mouth of the hon. Member for Northampton, and he proposes an Amendment which is a direct negative to the proposition of the Government. My right hon. Friend will feel with me there is something to explain in all this, and I confess I had hoped he was going to supplement and complete the *apologia* he addressed to the House on a previous occasion. My right hon. Friend admits that he may be accused of inconsistency; he appears to think he may be so accused with justice. We understand the position of the hon. Member for Northampton. He was perfectly frank. He proposed a Resolution in strict accordance with everything he has said or done in this matter before; in fact, it is a perfect pleasure to have an antagonist who is so straightforward, so simple, and so guileless. Then we understand perfectly the position of my right hon. Friend the Member for Mid Lothian. That also is in accordance with all we have ever heard or read from him, but I confess my right hon. Friend the Member for Newcastle has most inadequately explained what is his particular standpoint in proposing this Amendment. He has voted against the hon. Member for Northampton and does not agree with the right hon. Member for Mid Lothian, and I had hoped that he would explain to us what his standpoint is. He has given us three reasons for the peculiar

attitude he has adopted. In the first place he was moved by respect for the Throne. My right hon. Friend thinks that the Amendment of the hon. Member for Northampton implies disrespect to the Throne because it implies that the Message from the Crown ought never to have been sent to the House. But how does he now propose to meet the Message of the Crown? He proposes to meet it with a direct negative. Does not that imply that it ought never to have been sent to the House? Is it to be contended that the Crown ought to have been advised by the Government to present such a Message if there was good reason beforehand to know that such a Message would be met with a flat refusal? But then my right hon. Friend gave us another reason. He said he was not ashamed to admit his reluctance to desert his Leader. Well, Sir, I can well understand that reluctance. I sympathise with my right hon. Friend, and I hope in future he will think and speak more kindly of me, now that he, too, has joined the noble army of Dissident Liberals. I read in the *Daily News* the other day that the body that would follow my right hon. Friend, and my right hon. Friend himself could not be expected to follow my right hon. Friend the Member for Mid Lothian into the Lobby, but that their admiration for him and their loyalty to him were unabated. I admit the admiration. That admiration is shared by every Member of this House, of which my right hon. Friend has been for more than a generation the most distinguished ornament; but as to the loyalty, I think the less said about it the better. Then the last reason for the peculiar position taken up by my right hon. Friend is that in the proposal of the Government there is no finality. Let us examine that argument a little more closely, and, in the first place, let me ask my right hon. Friend whether he does not think that that there is plenty of finality about the Amendment of the hon. Member for Northampton. If that Amendment had been carried, then it is perfectly clear that no more Grants would be asked for in the present reign, or any future reign, for descendants in the second generation of the Sovereign. I would point out, however, that, as regards at all events the present reign, my right

hon. Friend has got absolute finality, for we have got the statement of my right hon. Friend the Member for Mid Lothian that the question of further Grants of this kind during the present reign is not a question of practical politics, and we have a declaration of a similar character from the noble Lord the Member for Rossendale, confirmed and assented to by the Government. I would ask my right hon. Friend whether, as a practical man, he believes—whether any sensible man can suppose for a moment, in face of these declarations of Members, holding the positions of those who made them—that it is possible that any further Grant would be asked for during this reign. My right hon. Friend has said that, although these Grants may not be pressed upon the present occasion, they might be pressed upon some future occasion, but surely an insinuation of that kind is quite unworthy of my right hon. Friend, and it would be absolutely absurd to suppose that any future Government would be so foolish as to advise the Sovereign, after the declaration made, to apply to Parliament for any further Grant. Upon that point I should be perfectly content to take the opinion of the right hon. Member for Mid Lothian, who has, I fancy, had a good deal more experience of Parliamentary proceedings than those who now jeer at my statement. But the great point of my right hon. Friend is that, even if we have finality in the present reign, there would be no finality when a new reign commences. I think my right hon. Friend was a little premature in his anticipations for a future event which he and I and all of us hope may be long deferred. I would ask him how does he propose to obtain this finality with regard to a future reign? Does he want a declaration now by Parliament that no application for such a Grant in a future reign would be entertained? What would be the good of it? You must take the question into consideration in connection with the new Civil List. It all depends on the amount of the Civil List. You might have the Civil List increased, or have it fixed at its present amount, and give no Grants; or you might have a reduced Civil List, and might have to provide for the descendants of the Sovereign by some such Grants. What I want to point out is that

neither the right hon. Gentleman nor the House of Commons can pledge a future Parliament or a future Sovereign. When a new reign commences the Sovereign must then apply for a new Civil List, and the whole of the circumstances will have to be considered. All that the noble Lord the Member for Rossendale and the right hon. Gentleman the Chancellor of the Exchequer said, was that at that time this question of the descendants of the Sovereign in the second generation—and in the first generation, too—will have to be taken into account and settled in some form or other. In the meantime, the right hon. Gentleman desires the House to give an indication of its opinion that these Grants are indispensable, and that such arrangements should be made as will preclude the possibility of their being appealed for in the future. We have another point to make against the position of my right hon. Friend, and I confess I do not see how he is going to get out of this. If he thinks it so absolutely necessary that there should be a declaration of finality, how is it that in Committee he was willing to vote for a Grant for the Prince of Wales without any such assurance of finality? If the Amendment of the right hon. Member for Mid Lothian had been accepted, the Committee would have declined to express any opinion with reference to finality. The Amendment of the right hon. Member for Mid Lothian does not point to any finality. After stating that—

"Your Committee have recited the facts of previous practice in accordance with the order of reference under which they have been appointed,"

the right hon. Gentleman's Amendment goes on to say:—

"An important question arises whether, and how far, these facts form a ground of action under the new method, which at a period later than the reign of George III. has been applied to the Civil List, and since the Duchy of Lancaster has added so largely to the means at the disposal of the Sovereign. A further addition to these means might also be expected, in the judgment of your Committee, from possible retrenchments to be made in connection with offices in the Royal Household and otherwise. But the Committee find it to be unnecessary for them to enter in a discussion of this question, inasmuch as they have been informed by the First Lord of the Treasury that Her Majesty has been graciously pleased to declare that she does not propose to advance any claim for the children of her daughters and younger sons."

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How could that Amendment give any finality even supposing that the Report of the Committee could bind future Parliaments? And yet my right hon. Friend would have voted for that Amendment if the other Amendment of the right hon. Gentleman had not been carried. It does appear to me, therefore, that the reasons which my right hon. Friend has given for moving this Amendment which he has put forward in competition with that of the hon. Member for Northampton are altogether inadequate and even flimsy. The right hon. Gentleman says there is no right in the Crown and no responsibility or obligation on the House of Commons, and then goes and votes against the Amendment, which puts that proposition in much clearer language than he has used in his present Amendment. The right hon. Gentleman appears to be in the position of a landed proprietor who finding a man poaching in his preserved waters in the first place knocks him down and then runs off with all his fishing tackle. My hon. Friend the Member for Northampton had prepared a most admirable bait, and the right hon. Member for Newcastle trips him up, and the next thing we see is that he is fishing with the same cast. I do not know whether the right hon. Gentleman keeps a diary, but if he has posted up that diary during the past fortnight he might head the chapter, "The Diary of a Perplexed Politician." During that period the right hon. Gentleman's opinion has fluctuated and has been like what one reads about the weather, "unsettled." Let us see what the entries in the right hon. Gentleman's diary would have been. They would have commenced on the 2nd of July thus:—"Royal Message sent down;" and he, no doubt, would have added that he was firm against these Grants, and had pledged himself to his constituents to oppose them. On the 10th July, whilst the Committee was deliberating, the right hon. Gentleman would have said there was something after all to be said for these Grants, that he was prepared to compromise, and willing, under certain conditions, to vote for the Grant to the Prince of Wales. On the 22nd we should have had him inserting something to the effect that, once more, thanks to the foolish action of the Government and their muddle and mis-

carriage, he was a free man, and free to vote for his convictions. On the 26th July he might have said that he had voted against those convictions when they were expressed by the Member for Northampton; while, for the 29th, there would be a final entry that he had voted in favour of his convictions when they were expressed by himself. I confess that it is quite impossible for me to differentiate as far as argument is concerned the position of the right hon. Gentleman the Member for Newcastle from that of the hon. Member for Northampton, with the exception, of course, of the special pleading point of finality. What are the arguments of the hon. Member for Northampton and of those who support his views? They are three in number. His first argument is that the Queen has enormous savings out of which she ought to be expected to provide for her grandchildren; the second is that whether the Queen has these savings or not there was an implied understanding at the time the Civil List was fixed that her grandchildren, who, I gather from the remarks of the hon. Member for Northampton, come, in his opinion, under the description of "emergencies," should be provided for by her; and then, in the third place, there is the argument of the junior Member for Northampton that the total amount which is already paid by the country for the Crown and the Royal Family is so enormous and exorbitant that it is most unfair and unreasonable to expect the people to contribute any addition to it. Let us take, in the first place, the question of the enormous savings of the Queen which was referred to by the hon. Member for Sunderland, who, to my great surprise, was supported by the right hon. Member for Newcastle. The hon. Member made it a ground of complaint against the Government that they have not taken the House into their confidence with regard to the private savings of the Queen; and he even wanted to go further, and demanded proof of what those savings were. I suppose that he wanted to see the private cashbook and the ledger of the Queen in order that he might apply to them his actuarial calculations. To my mind that is a perfectly unreasonable request. It is a characteristic of Englishmen, and one in which they differ

from many other people, that they resent any attempt to pry into their private resources, and I cannot understand why the Queen should be treated in this respect upon a different footing from that of the humblest of her subjects. I know what the hon. Member would say—he, of course, would say that it was because the Queen was asking for a Grant. So let me put this case. Supposing that a working man came to his employer to ask for an increase of salary, would he not resent any attempt on the part of his employer to pry into his savings bank book, in order that if he had been careful he might be penalised for his thrift and his saving? Well, I confess that I do not see the great difference between the two cases. I am quite willing to put it to an audience of working men, and I am inclined to think that they would be quite willing to agree upon this and other grounds that the private fortune and the private expenditure of the Queen, whether it comes from the revenue of the Duchy of Lancaster or from the Privy Purse, are not fitting subjects for Parliamentary investigation. Although the hon. Member for Sunderland says that he would like to have further information on the subject, he has had information upon which he has based the monstrous supposition with which he has entertained the House. The hon. Member says that he has made calculations with his "actuarial friend" which led him to the conclusion that the Queen has saved three millions.

MR. STOREY (Sunderland): I know the right hon. Gentleman does not want to attribute to me that which I did not say. I said I had had an actuarial computation made, and that, allowing for all things that the actuary had to allow for, it amounted to £1,500,000, and then I proceeded to add the other sums, and altogether the amount reached is about three millions.

MR. J. CHAMBERLAIN: I do not see why the hon. Member should think it right to correct me, but he now says that he has calculated, with the assistance of his actuarial friend, that the savings of the Queen amount to £1,500,000 upon the Civil List, and without the assistance of his actuarial friend he has himself added to that amount an additional million and a half. This, however, is not the ~~fact~~ ^{figure}.

time that the hon. Member has brought this question before the House. A somewhat similar Debate occurred in this House in 1882, when the proposal for a Grant to the Duke of Albany was brought forward. It was then contended that the Queen had resources from which such demands might be met. The right hon. Member for Mid Lothian on that occasion, in moving the Grant, said :—

"I hope, Sir, it will not be said that provision for these purposes ought to be made by the Sovereign herself from her economies, in restraining the expenditure of her annual income, because it must be borne in mind that the income of the Sovereign is predetermined in separate branches and departments in such a way as only to leave the most moderate means for anything approaching accumulation. That accumulation, such as would even moderately provide for the Royal Princes and Princesses on their arrival at man's estate or on entering the condition of matrimony, is absolutely beyond the power of any Sovereign to attain."

My right hon. Friend thus distinctly stated there never have been, and never could be, savings by Her Majesty which would adequately meet a tenth-part of the demands on Her Majesty in this respect. The hon. Member for Sunderland is fond of making arithmetical calculations. I would suggest to him that this statement by the right hon. Gentleman would form the basis for a very interesting one, which would entirely preclude him from falling into the ridiculous error into which he fell on a former occasion. The right hon. Gentleman, on the occasion in question, continued :—

"The savings of the Sovereign have never amounted to any inordinate sum, nor have they ever been considered a matter of Parliamentary investigation. I have had some knowledge of them in various contingencies of official life, but never have they seemed to me to amount to more than might be well called for by the emergencies connected with the position and duties of the Queen. Were it only the very considerable inequality in the position of the various children of the Sovereign with respect to wealth, it is quite obvious that it would be most undesirable that Her Majesty should be wholly deprived of the means of mitigating, should she think fit, that inequality."

After a positive statement of that kind from my right hon. Friend it is really presuming on the part of the hon. Member for Sunderland to bring forward the calculation to which I have referred. But, Sir, under these circumstances, if the savings of the Crown are moderate, if they are not such as would provide

one-tenth part of the charge in connection with the younger children of the Sovereign, it is perfectly clear that they cannot be sufficient to provide for the demand now being made. I now come to a still more important question—namely, as to whether, at the settlement of the Civil List or subsequently, there was or was not any understanding with the Queen to provide for her descendants. This raises the question of notice, and I think the House will see that this is a question of the greatest importance, and a question which, by itself, may be considered to conclude the matter. The majority of the Committee take issue with the minority. We asserted that there had been no notice to the Queen, at any time, that she was expected to provide for her descendants. I have already referred to the Amendments of the right hon. Member for Mid Lothian, which are opposed to Paragraphs 11 and 12 of the original Report. If any one will look at the draft Report they will see, I think, that no one would object to Paragraph 12 if Paragraph 11 is held to be true, for Paragraph 11 says that the Queen has never had notice that she was expected to make provision for her grandchildren. If she has never had notice, then the 12th paragraph, which states that she has a claim, would recommend itself to the sense of the House. The sole question is whether the Queen had notice of this; or could be expected to know that this demand was to be made upon her. The Amendment proposed by the right hon. Member for Mid Lothian, in lieu of Paragraph 11, affirms—

"Your Committee cannot find in any Resolution of the House of Commons, or in any declaration on behalf of a Government by a Minister of the Crown, any indication whether the practice followed in the case of grandchildren of George III. was to continue under the method now applied to the Civil List, or whether any and, if any, what obligation attached to the Sovereign with reference to descendants in the second generation, or what claims the Sovereign might be entitled to make upon the national resources."

It is perfectly evident that if that had been carried it would amount to this—that the Committee would give distinct expression to the opinion that they could find no indication of any notice having been given to the Sovereign, one way or the other. That is quite enough for our purpose. If there has been no

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to afford sufficient provision for the grandchildren of Her Majesty. I admit to the full that the case of the Heir Apparent to the Throne—the Prince of Wales—is a somewhat peculiar one. No doubt he has had a much longer Heir Apparency than was naturally expected, and we all rejoice that he has, and he has had heavier expenses than could have been expected, and now he has children grown up who marry, and are given in marriage, and the income of the Prince of Wales may have been, or is likely to be, insufficient. But I do not see that we should isolate one particular member of the Royal Family. We must take the whole of the income, and if the total sum paid to the Royal Family is sufficient, its proper distribution is a question for family arrangement and not for the nation. It might have been expedient to accept some compromise in the matter before the Committee, especially if finality had been obtained; but it is perfectly clear, after all that has been heard from right hon. Gentlemen on the Treasury Bench, that the Government did not intend to make any compromise if they could help it. I think it is clear, from the speech of the Under Secretary opposite, that the Government intend to go to the country and say that they have done what they thought best both for the Crown and the country, and that they have no intention of giving way on any point. I, for one, am glad that the compromise has fallen through. I think we can with perfect loyalty and courtesy to the Crown say that, as a matter of expediency as well as of justice, there has been enough money paid by the taxpayers to maintain the dignity of the Crown in all reasonable respects, and that there are sufficient sums paid or accumulated to provide for all those who have claims on the Queen. I therefore support the Amendment.

*SIR R. FOWLER (London, City): I wish, in a few words, to express regret that Her Majesty's Government have not adhered to their original proposition of £40,000 a year. No doubt they have good reasons for the course they have taken; but it seems to me to be a great pity that they have given way on the point, because, as far as I can see, it would not have made any difference in the character of the opposition to the Grant. I cannot but think

that their present proposal is marked by niggardly economy.

*SIR LYON PLAYFAIR (Leeds, South): I wish to explain why it is I cannot support the Amendment of my right hon. Friend. An hon. Member has spoken of obeying the mandate of a constituency. I have no mandate from my constituency. In the elections at Leeds I have never been asked for any pledge except one, and that pledge was a positive one to follow the right hon. Member for Mid Lothian as the Leader of the Liberal Party. I trust to the ability of the right hon. Gentleman to undertake great reforms even in the Constitution of the country and in the relations of one part of the kingdom to the United Kingdom; and I have not seen any reason to alter my judgment of his ability, common sense, and moderation in regard to the proposals which are now before the House. I think that there is a strong feeling abroad with reference to these Royal Grants, but I believe that it largely arises from the obscure way in which the question has been put before the people. The way in which the question is generally placed before the people is to add up all the items of Royal expenditure, and not to explain how much or how little is derived from the pockets of the taxpayers, and how much is derived from other sources. There are two kinds of liabilities or expenditure which taxation furnish. There are the liabilities undertaken when the Queen ascended the Throne, and there are other kinds of expenditure which it is within the power of the House to control through the Estimates, such as expenditure on the Palaces and the Royal Yachts. The balance sheet showing the liabilities and assets is a very simple one. There are two sources of assets—the Crown Lands, which are Endowments for the support of Royalty, and the Revenues of the Duchies of Lancaster and Cornwall, which are additional means of supporting the splendour of the Throne. These do not belong to the Sovereign in his personal capacity, but as fiduciary trusts belonging to the nation for the support of Royalty. But these assets are folded down, and the expenditure is given as if the taxpayer paid the whole. On the side of liabilities there are £385,000 for the Civil List and £152,000 for Royal

by written Minutes; but it often gave verbal instructions, and in this case there was a verbal order for the payment to continue, and it has continued ever since. I am sorry to have had to introduce this small matter, but, having the official information I had, I felt bound to do so. In regard to the general question, I repeat that I think the proposal before the House gives practical finality, although it is to be regretted that the speeches of Ministers are not so clear on that point. Indeed, the Chancellor of the Exchequer made me hesitate for a moment whether I should vote with the Government. I think he was making a claim which, in the interests of the Crown, I deemed to be very unfortunate. In conclusion, I say I support the compromise very wisely made by my right hon. Friend the Member for Mid Lothian accepted in its spirit, if not in letter, by the Government.

MR. ATKINSON (Boston): Mr. Speaker, I do not agree with the hon. Gentleman who has just sat down, save in his support of the proposition of the right hon. Gentleman the Member for Mid Lothian. I am positively of the opinion of the right hon. Baronet the Member for London, that we could just as easily have put £40,000 a year as £36,000. As to the question of finality, there is no finality on this question. It will be settled by a great number of Members of Parliament who are not here at present, and I hope that a very small number of the hon. Gentlemen who are here now will be present on the next occasion when this is discussed—myself included. In my opinion it will be a very long time before there will be a vacancy, for we all know our blessed Sovereign has good health. ["Order."] I am not aware that I am out of order. If I am, you, Sir, as you have done before, will very soon tell me of it. I have in my house a portrait of Old Parr, painted when he was at the age of 152 years. He lived ten years afterwards. I hope from the bottom of my heart that the Queen will live as long. As Chairman of an Assurance Association I know that the value of female life is greater than the value of male life. It is the prayer of this nation that the Queen may reach the advanced age which is now more general than formerly—even than in the time of Parr. [*Laughter.*]

Sir Lyon Playfair

Controvert that if you can. I believe that the bulk of the constituencies, which small or great, are thoroughly in favour of doing what will please the Queen and the Ministry of the Queen. We ought to be grateful to the Royal Family for what they have done. We ought to be grateful for the pure example which is set by the Lady now at the head of the nation, and it ought to be our most intense anxiety to do everything we possibly can to show not only the people here, but the people of other nations, that we are grateful for all the Sovereign has done. The way in which she has dealt with the institutions of the country, in which she has preserved a pure Court, and has taken care that the religious instincts and opinions of the people shall not be interfered with, are all matters for which we are grateful. Had Her Majesty gone in another direction, had she introduced a Book of Sports, or any sports contrary to the religious instincts and convictions of the people? [*Laughter.*] That is not a matter for laughter. As a Conservative I would not have voted for a Grant to anyone of the Royal Family; rather would I have voted for a Republic, much as I hate it. Had anything been done that was contrary to the instincts and religious convictions of this nation? In voting for the Resolution I best discharged my duties to my constituents and my duty as a patriot. I go thoroughly against the Amendment, and I wish the proposal had been for £40,000 rather than alternated £36,000 a year.

*MR. LABOUCHERE (Northampton): Sir, we have had a good many speeches during the Debate in favour of these Royal Grants. I do not know whether the speech we have just heard is much worse than others that have been made. The hon. Member, among the reasons he has given for voting for the Grant, says that he has in his own home a picture of Old Parr, and also that Her Majesty had not written a Book of Sports. Those reasons are neither better nor worse than other reasons that other Members have given for their votes. I gather from the speech of the right hon. Gentleman the Member for Leeds that he intends to vote for the Resolution, but I confess his reasons were entirely beyond me, so recondite indeed were

they that I must leave my Scotch friends behind me to reply to them. The right hon. Gentleman the Member for West Birmingham also, I gather, intends to vote for the Resolution. He summed up his reasons in a very beautiful peroration, and my only regret, it is an intellectual regret, is that it was a plagiarism. He tells us Radicals that we are not as he is. I admit we are not. He says that we are Nihilists, anxious to destroy the Monarchy, and to put the Constitution into the melting-pot. Sir, that is a plagiarism from the speech of the noble Lord the Member for Rosendale, made at the time when the right hon. Gentleman the Member for West Birmingham came forward with an unauthorised programme. I stated, on my Amendment to the Motion that the Speaker leave the Chair, that I might be in some embarrassment how to vote in regard to the Amendment shadowed forth by my right hon. Friend the Member for Newcastle. I supposed at the time that he would base his opposition to the Grants upon the fact of their being coupled with no declaration of finality. Personally, I should have voted against these Grants whether or not there had been finality. But I am relieved of all difficulty, because the Amendment is practically a general refusal of these Grants, coupled with the pious regret that if the House does agree to them there will be no finality in the matter. I look more at the substance than the form, and I feel that I should be personally stultifying myself if I voted against my right hon. Friend's Amendment, because it is a repetition—and a good thing cannot be too often repeated—of my proposition. If other hon. Friends bring forward similar resolutions against these Grants, I can assure them most sincerely they shall have my vote. I confess I never did share the view of my right hon. Friend and those who supported him in Committee as to the importance of finality. We have the statement of the Queen's Ministers that the Queen will not ask for any more of these Grants during her reign. I cannot help thinking that it is absolutely certain after the statement made by Her Majesty's Ministers, that there will be no demand during this reign for Grants to the children of the

younger children of the Sovereign. I think and believe from what I heard in Committee, and from the statements of the First Lord of the Treasury that we may take that for granted. Well, in regard to claims under a future reign, I am glad to think that we do not establish any precedent as regards the children of younger children, whilst we note that the Sovereign's claim to such maintenance is waived. My opinion is that when a Sovereign gives up a claim, that Sovereign's successor never can make it with any success afterwards. It seems to me that sufficient for the reign are the grandchildren thereof. I do not trouble myself with what may occur in a subsequent reign. The whole subject of the Civil List will then be looked into, and it will be decided according to the opinions of the period. I hope the day is far distant when there may be a successor to Her Majesty. In regard to what will then happen, all we know for certain is, that opinion against these Grants is advancing with giant strides. On the occasion of the Grant to the Princess Beatrice, some Irish hon. Members and only 13 English, Scotch, and Welsh Members voted with me. The other night, including pairs, above 130 voted against the present Grants. In view of this progress Grants are pretty well doomed. I cannot regret the course I took on Thursday night, because it established the fact that, although the majority of this House is prepared to vote in favour of Grants to the children of the Prince of Wales, yet two-thirds of the Liberal Party have registered their view that they are opposed to any such Grants, and this will be remembered if the Liberal Party is in power when there is a change of Sovereign. I want the House to look at the practical common-sense view of this matter. We have heard a good deal about the hereditary revenues—whether they have or have not been surrendered. I think that the question is comparatively unimportant. The right hon. Gentleman the Member for Leeds went through a series of figures to show that the country paid hardly anything for Royalty out of taxation. But in reality the taxpayers pay all the same, whether the money comes out of these hereditary revenues of the State or out of the Treasury. Admit, however, for the

there is, no doubt, a vast voluntary expenditure at a Presidential election; but all this has nothing to do with the question before us now. I will not follow the example of the right hon. Gentleman; what I desire to do is to consider the position in which we who are asked to vote for these Grants are placed. I have no hesitation in the course I shall adopt. Since I have been a Member of this House I never gave a vote with greater satisfaction than that which I gave on Friday night, and I shall give my vote to-night with the same satisfaction, because I think the time has come when the huge cost of the Crown ought to be thoroughly overhauled and brought down to something like a practical sum. We have had the Crown Lands set up as against the sums appropriated out of the Consolidated Fund; but in all the arguments that have been used, it ought to be remembered that if the country took over the Crown Lands, it also took over the cost of management. It is said that the position we are taking is disrespectful to the Monarchy; but I believe that the one thing that will make the Crown secure and the Monarchy respected in this country is not the splendour of the Throne, but the calm dignity with which the Sovereign fulfils her functions. When you talk about the "splendour of the Throne" and use arguments in favour of keeping up all the offices which surround the Throne, there are many of us who think you are lowering rather than adding to its dignity. There are many of us who think it is not the barbaric magnificence of the Throne—for that is what it really comes to—but the conduct of the individual who occupies the Throne that constitutes its real dignity. We think—though it is rank heresy to say so—that Parliaments which have gone before us have made a mistake in the sums they have provided for the children of the Sovereign, and that the time has come when, having provided for the direct issue of the Sovereign, we ought not to begin voting sums of money for the grandchildren. We think that these Grants are not in accordance with the Act of 1837. I thoroughly agree with the quotation from the speech of Mr. Spring Rice, the Chancellor of the Exchequer in 1837, which was made by the First Lord of

the Treasury. That quotation showed that it was anticipated that the Civil List would supply all the requirements of the Royal Family, and before making any further Grant, we are entitled to a full statement of what the savings from the Civil List have been. The right hon. Gentleman the Member for West Birmingham has favoured us with his opinion as to what the savings of the Monarch have been, and has put the amount at £105,000, which, he said, was not too large. I think it quite large enough to prevent this House being asked to vote more Royal Grants. Perhaps the most extraordinary part of the peculiar speech of the right hon. Gentleman the Member for West Birmingham was that in which he drew an illustration from the working man asking for an increase of wages, and the employer asking what he had saved up. I think the analogy was most ludicrous, and I think it unnecessary to further criticise it, as the House must see how ridiculous it is. A great deal has been said with regard to the Civil List in reigns previous to the present; but I do not think it possible to show anything in preceding reigns like that which we have now before us. When a Committee sat in 1837 and had evidence of all previous Grants placed before them and fixed what they considered necessary for the Crown, I think you have no right whatever to go behind the decision of that Committee. I am pleased to see that in those days the Members who were looked up to by the Radicals of those days did take exception to the amount that was fixed, holding that the sum was too large for the wants of the Crown. It is said we ought to be ashamed of our position for carping at an expenditure which is really insignificant. ("Hear, hear!") An hon. Member says "Hear, hear!" I am not ashamed, for one. I am proud of the position I have taken up, and I think I should not have been doing my duty to my constituents if I had not taken up that position. It will, I think, be a sorry day for England when hon. Members abandon the right of criticising the demands made upon them by the Government. It is only by the tight hand which has been kept by the House of Commons on the purse strings of the nation that the liberties of England have been brought to where they are at

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the present time. We do not object to being charged with carping when we attempt to criticise this vote. Every time anyone moves a reduction in this House and goes in for economy, he is immediately told by some Gentleman who goes into figures that it is only a fractional sum per head on the population, but a good many of us who go in for economy want to join many of these fractional sums together so as to make up a large sum. Behind these fractional sums there is the question of a great principle, and there is the question of how far you are going to allow the charges in connection with the Monarchy to grow in this country. We believe the time is coming when much may be done to curtail the lavish expenditure that takes place in high places. I believe that the stability of the Monarchy rests not upon the grandeur of its surroundings, but upon the quiet dignity with which it is kept up. Never in the last quarter of a century have we had less of the splendour of the Throne, and yet never has a Monarch been more respected and esteemed than the present Monarch. We only want to have continued that which has been going on for the last quarter of a century. We say that you do not want any more Royal Grants, but that economy should be maintained in the Civil List, and we believe we are doing better work for the security of the Throne and for the welfare of the masses of the country by the position we are taking up, which amounts to something more solid than mere tinsel and glory, than are hon. Gentlemen opposite in supporting these Grants.

MR. ISAACSON (Tower Hamlets, Stepney): We have listened to a great many speeches from hon. Members below the Gangway representing the working classes in the East End of London, but I do not think that any hon. Member on this side of the House who represents them has yet spoken. As far as I am concerned, I do not think there is any Member of this House who is more in touch with his constituency, and I think I may say, without fear of contradiction, that the working classes of London do not view the Royal Grants with that amount of displeasure which hon. Gentlemen opposite allege. There are some important points which have not

been mentioned. It should be remembered that the value of money is very different now from what it was in 1837, and that members of the Royal Family cannot do with their income as much as private individuals. They cannot enter into trade and improve their fortunes in ways open to others. Considering that it is a Lady who is at the head of affairs, some of the observations made on the other side were perfectly cruel. The country has made an excellent bargain with respect to the Crown property, which in 20 years will bring in something like £4,000,000 sterling, and if Her Majesty had retained that property she probably would not have had to come to this House for any Grants for the members of her family. I do not think the Government or the legal advisers of the Crown have been sufficiently diligent in making the country know that the contract has been so favourable. Up to this very July they have made out the receipts in precisely the same way as if the property was owned by the Crown, on the face of them appearing the words "received for Her Majesty's use." We know very well that Her Majesty does not get the money. Under these circumstances it is very unjust to cavil at the small amounts which are asked for the Royal Family. The right hon. Gentleman the Member for Newcastle (Mr. J. Morley) said he should like members of the Royal Family to go into profitable occupations. I do not know what the right hon. Gentleman would like the young ladies to do. I think one young lady has done exceedingly well in marrying a young Scottish Peer who is in business, and whose fortune is very considerable. With regard to the male members of the family, one has adopted the profession of a soldier, and the other that of a sailor, and I do not know how they are to go into more profitable occupations, unless they go into trade, as no doubt they will. The working classes of the East End of London are entirely in favour of these Grants on the moderate scale that they have been asked for, and I believe that when the speeches of hon. Members opposite are quoted at the next election, they will not derive any capital from them. I shall vote heartily for the Grants, and I hope that other Members for London will follow my example.

*SIR W. PLOWDEN (Wolverhampton, W.): The hon. Member who has just sat down informed us what his knowledge is of the views of the working men in the Division he represents. Well, I am able to inform the Committee what are the views of the working men of the West Division of Wolverhampton, and I must say that, not only at this moment, when there has been a distinct expression of opinion from them, but also on previous occasions, they have declared by large majorities their distinct aversion to any increase of the Royal Grants. The right hon. Gentleman the Member for West Birmingham (Mr. Chamberlain) told us we wanted to put the Constitution into the melting-pot—that was a Birmingham phrase, I presume—and that we actually did not dare to approach our constituents and tell them the real facts about these Royal Grants. Well, I can say that I have stated over and over again to my constituents what the real facts of the expenditure of the Royal Grants are, as far as I could learn them, and they have adhered to their original determination that it is not a right thing to add to the burdens of the country by increasing the Royal Grants. The noble Lord the Member for Paddington (Lord R. Churchill) said that those who opposed the Grants were actuated by a desire to degrade and lower the Monarchy in public estimation. I entirely dissent from such a statement. Many of us are warm admirers of the Monarchy—I speak for myself, certainly—and because we dissent from the proposal to make an increased allowance for Royal expenditure, we ought not, therefore, to be considered deficient in respect for the Crown, or as desirous of not promoting the well-being of the Crown. The remarks of the noble Lord appear to be endorsed by the Government, from what the right hon. Gentleman the Chancellor of the Exchequer said. I wonder that the noble Lord the Member for Paddington, who poses as an historical inquirer, should have ventured to make the remarks he has made, as he must have known what has been the whole course of events during the past century. The first speech which brought Mr. Pitt into notoriety was one made by him under the tutelage of that great orator Mr. Burke in regard to the Civil List 20 years after

it had been settled, in the reign of George III., and he then proposed to do away with some of those great offices of State which are now the subject of discussion, and with regard to which working men hold such strong opinions. As a preface to that Debate Mr. Burke had read out a Resolution, which still stands on the Journals of the House, and which runs thus:—

“It is the opinion of this Committee that it is competent to this House to examine into, and to correct, abuses in the expenditure of the Civil List Revenues, as well as in every other branch of the Public Revenue, whenever it shall appear expedient to the wisdom of this House so to do.”

This Resolution still stands on the Journals, and has not been rescinded. It shows what the power of this House is in regard to the Civil List. Personally, I should be extremely pleased to be able to consent to the request made to us by the Government. But I stand here as the Representative of my constituents, and especially in the matter of taxation I feel bound to represent their views. I have had distinct requisitions from my constituents to oppose these Grants, and I believe that both my right hon. Colleagues (Mr. H. H. Fowler and Mr. C. P. Villiers) in the representation of Wolverhampton have received similar requisitions. It is not that the working men object to giving to the Sovereign what is really necessary to maintain the dignity of the Court, but they think sufficient is granted for the purpose already if a proper appropriation be made. They say also that if the present Grants are not sufficient, some of the great offices of State, where large sums of money are paid for official duties, might very well be discharged without any remuneration. These are offices which men truly devoted to the Sovereign would gladly fill without salary. They take the case of the Master of the Buckhounds, and they say to me, “Your brother is a master of hounds, and does not get any remuneration for it. Why should we give any remuneration to the Master of the Buckhounds?” It seems to me that the argument is unanswerable. I feel quite justified in acceding to the wishes of my constituents and opposing any one of these Grants, which impose additional burdens on the taxpayer.

*Mr. NORRIS (Tower Hamlets, Limehouse): It seems to me that Gentlemen opposite arrogate a great deal too much to themselves the right to pose as the Representatives of the working men. I represent a constituency in the East of London, which is certainly loyal to the country and to the Crown. I believe the people of this country reverence and respect Royalty, not only on patriotic grounds, but also because of the splendour which surrounds it. Who are the people who attend the Royal shows and surround the Royal carriages but the people of the Metropolis, who are too glad not only to see the splendour, but to participate in the joys and sorrows of the Royal Family, as on Saturday last. Although I, for one, deprecate and object very strongly indeed to Grants and Annuities to any of the collateral branches of the Royal Family, I think it is a very different thing indeed when it comes to the direct Heir to the Throne of England. We know very well that Her Majesty has very graciously come to an arrangement whereby the money she has been able to save out of her income will be devoted to the maintenance of the younger members of the Royal Family. It is a matter of surprise to me that this Grant should be questioned, inasmuch as the amount is so extremely small when spread over the country. I have calculated that the proposed annuity of £36,000 a year that is asked for, amounts only to a farthing per head of the whole population, and for a constituency of 70,000 persons will amount to about £70. I think even the senior Member for Northampton would hardly grudge £1, aye, perhaps, he would give a £5 note towards the necessary functions of Royalty. Have not Radical Members opposite done enough this Session in trying to overthrow the Government, and in obstructing useful measures, that now they must make personal attacks upon the Sovereign and her Constitutional rights. The speech of the right hon. Member for Mid Lothian adds lustre to his grand old age, and his words will go down to posterity as some of the best he ever uttered—noble words, which shows that though he desires to serve the people he desires also to serve the State. I think we ought, by our votes to day, to prove our loyalty

to the State, and I, for one, shall go into the Lobby with the Government.

Mr. PICKERSGILL (Bethnal Green, S.W.): The two last speakers from the opposite side of the House represent East End constituencies, and they say they think that in voting for the Grants they are properly representing the feelings of their constituents. My experience, however, is that there is the strongest possible feeling in the East End of London against the Grant, and hon. Members opposite will, perhaps, when too late discover their mistake. I should like to refer to the position taken up to-night by the right hon. Gentleman the Member for Newcastle (Mr. J. Morley). On Friday the right hon. Gentleman was, I think, somewhat scornful towards the Amendment, and towards those who supported the Amendment, proposed by my hon. Friend the Member for Northampton. He will not, therefore, have any right to complain, and I am sure he will not complain, if I comment with some freedom on his position. The right hon. Gentleman has told us that a great deal of the fever in the public mind would be abated if the Government had thought fit to make a more frank statement as to the resources of the Crown. So far good. But holding these opinions I can scarcely see how with consistency the right hon. Gentleman can assent to the final paragraph of the Committee's Report, which runs as follows:—

"Your Committee desire to state that it has received all information which it has deemed necessary for the object of the Reference made to it."

On this point I think we have some title to complain not only of the right hon. Gentleman himself, but of every other Member of the Committee who voted with him. They all appear to have expressed in this House the greatest possible regret that further information has not been afforded, and yet without protest they assented to this paragraph, which will be quoted in future years, giving the Government credit for having supplied ample information. I now come to the second point. The right hon. Gentleman said:—

"I will not be a party to setting a precedent by meeting a Message from the Throne with

words which indicate that it ought never to have been sent."

Well, again, I say, so far good. But is it consistent with the statement which the right hon. Gentleman made within a few minutes of the former one, to the following effect:—

"I thought from the first that both the claims and the Grants upon which the claims were rested were wrong."

Now, if the right hon. Gentleman thought that, it seems to me that it did practically amount to an intimation that the Message from the Crown ought never to have been sent down. If the right hon. Gentleman takes up that position, I, for one, must with all respect dissent from it. The Message comes to us with the authority and under the sanction of Her Majesty's Government, and I say there is no disrespect to the Throne in saying it ought never to have been sent. I beg to make my very humble protest against the idea that this House is not perfectly free to criticise and adopt a hostile attitude towards a Message from the Crown; and I cannot but think that in the proposition which the right hon. Gentleman laid down he spoke rather the language of the courtier than the language we have been accustomed to hear from the Radical Representative of Newcastle-on-Tyne. I come now to the third proposition of the right hon. Gentleman. He said he was willing, under certain conditions, to give a moderate amount, and he also told us that £36,000 was not a moderate amount. Yet I understand that if the conditions on which he insisted had been granted, he would have assented to the grant of £36,000, which he himself had declared not to be a moderate amount. Supposing the present Amendment is not carried, what position does the right hon. Gentleman intend to take up? As we know that, in his opinion, £36,000 is not a moderate amount, I should like to know whether he intends to propose the reduction of that sum. If not, I shall be glad to propose a reduction so as to give the right hon. Gentleman an opportunity of showing that he really believes that £36,000 is an immoderate sum to ask under the circumstances of the case. I should like to say a word as to the position of the noble Lord the Member for Paddington (Lord R. Churchill). The noble Lord waxed very merry over the legal con-

tention of the hon. Member for Northampton, and when the name of Lord Brougham was suggested in support of that contention, he cavalierly brushed it aside with the statement that at the time when Lord Brougham laid down his doctrine with regard to the Civil List and Crown Lands, he would have made any declaration in order to upset the Government of Lord Melbourne. It does not require very much courage to kick a dead lion. But I think that in the position which the noble Lord occupies his reference to Lord Brougham was not only unjust and ungenerous, but impolitic and dangerous for himself in the highest degree. What would he say if we were to apply the same censorious standard to his own action? What would he say if we from these Benches were to suggest that in the action he has taken he has been influenced by the impression which has been made upon his mind that the Tory democracy does not turn to him as the rising sun, and that he now desires to cringe and creep back to the Treasury Bench, which some time ago he abandoned under a mistaken conception of his own importance both to his own Party and to the country? I desire to say just one word more. The right hon. Gentleman the Chancellor of the Exchequer said that prior to the time of George III. the Sovereigns always held the Crown Lands. That is quite true; but one need not go to a more recondite authority than Blackstone to learn that they held them subject to heavy burdens—subject to defraying the cost of the whole Civil Government of the country. The right hon. Gentleman the President of the Board of Trade has argued that the Sovereign is the owner of the Crown Lands in precisely the same sense as a Peer is the owner of his lands. Now, a legal question arose in connection with the estates of the Duchy of Lancaster, when it was urged that they were held by the Sovereign exactly as a Peer of the realm holds his estate, and the decision in that case was that the lands of the Duchy of Lancaster were held by the Sovereign, not in his natural person, but in his political person. If that principle applies in regard to the lands of the Duchy, it applies *d fortiori* to the Crown Lands proper. The House and the country have not been sufficiently taken into confidence

Mr. Pickersill

by the Government on this question, and they have a right to know how much of the £300,000 which has been paid to the Privy Purse has been actually expended, and how much has been saved. In conclusion, I have only to say that whilst I do not think the position of the right hon. Gentleman the Member for Newcastle is a very logical or defensible one, I shall be prepared to vote for his Amendment because I should be prepared to vote with anybody against these Grants.

*MR. FENWICK (Northumberland, Wansbeck): I regret that some of the hon. Gentlemen with whom I am accustomed to act seem unable to recognise and appreciate the efforts which my right hon. Friend the Member for Newcastle made in the Grants Committee to minimise the amount of the Grant that is sought by the Government, and also to secure from the Government a declaration that there should be some finality in the sum which they now require for the support of the Royal Family. If in Committee we are not to be permitted the fullest liberty of criticism and the fullest amount of freedom of action in order to minimise the demands of the Government, without seeming to compromise with our principles, then it seems to me that that is a position which few hon. Members would be willing to accept. I appreciate most fully the attitude of my right hon. Friend in Committee, and I am glad that to-night he has attacked what I consider to be the somewhat foolish speech of the President of the Board of Trade on Saturday. The right hon. Gentleman spoke of some people who, he said, are unworthy to be subjects of the Queen. In my own name, and in the name of my constituents, I protest strongly against any further Grant to the Members of the Royal Family, and for the course I take I have a direct mandate from my constituents. I have had opportunities of taking the sense of my constituents, and only very recently the Council of the Northumberland miners, representing over 15,000 miners, passed a resolution in which "they protested against further grants of public money being voted to the members of the Royal Family, and deeply regretted Mr. Gladstone's action in defending and supporting the proposals of the Government" on this question. The question was very fairly

asked by my hon. Friend and Colleague, the Member for Morpeth (Mr. Burt), "Why do the working classes protest against any additional Grant to the Members of the Royal Family?" The answer is not very difficult to find. There are some of us who claim to directly represent the interests of labour in this House. I do not deny that other Members have also a claim to speak on behalf of the working classes, because working men are to be found in the constituencies of every hon. and right hon. Member of the House. But some of us who are more intimately associated with the working classes have from time to time made application to the Government to spend money in the payment of factory, workshop and mine inspectors, and our applications have been met by the Government with direct refusal. It is because you will not recognise the claims which the working classes have upon the Treasury; it is because you will not take proper means to provide for their safety, that the working classes are so strongly opposed—at least it is one of the reasons—to an increase of the Royal Grants. Much has been said as to what the constituencies are thinking on this question. I have here a short extract taken from the Tory newspaper of Newcastle—*The Weekly Courant*—which I commend to the serious attention of hon. and right hon. Gentlemen on the Treasury Bench. It is a leaderette. *The Weekly Courant* of the 20th instant said—

"The Government and the House of Commons have very little idea of the widespread feeling which exists even amongst very loyal people against increasing the Royal Grants."

This I think fairly represents the feelings of a large proportion of the people of the country. Though the question of savings on the Civil List has been referred to again and again, it seems to me necessary that we should endeavour to enforce the fact that frankness as to the savings on the part of the representatives of the Crown would have been the key to the solution of the problem. If you had taken the country and the House of Commons into your confidence and stated frankly what is the amount of the savings made by the Queen, we should have been in a position to say more decidedly than we are at present whether or not there is any

necessity for the additional Grant that is now sought. But we have the fact that in Class 2, 3, 4, and 6 of the Civil List there has been a saving effected of over £824,000. It is not denied that there has been a saving on Class 1, neither is it denied that there has been a saving out of the income of the Duchy of Lancaster. Whether the savings are as large as was stated by the hon. Member for Sunderland (Mr. Storey) or not, while the facts as stated in the Report of the Committee remain undisputed, the country will be reluctant to grant any additional sum to the Royal Family. I agree with my right hon. Friend the Member for Newcastle that there has been no adequate case presented to the House of Commons why any additional allowance should be made to the Royal Family, and until you state frankly what the amount of the savings is I shall, on every occasion, go into the Lobby against any such proposition as this.

MR. JOHN E. ELLIS (Nottingham, Rushcliffe): I do not rise with the object which the hon. and learned Gentleman the Under Secretary for India said he had in view on Thursday—namely, to fill up the time of the House.

THE UNDER SECRETARY OF STATE FOR INDIA (Sir J. GORST, Chatham): I did not.

MR. JOHN E. ELLIS: I am in the recollection of the House, and I have referred to the report of the hon. Gentleman's speech.

SIR J. GORST: I said nothing of the sort. I said that as time had to be filled up there was no more interesting subject with which to fill it up than the study of the attitude of the right hon. Gentleman, the Member for Newcastle.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

MR. JOHN E. ELLIS: I must accept the explanation of the hon. Gentleman, but I understood him to say that he rose to fill up the time of the House. I am one of those who perfectly admit that this is a matter that deserves to be treated and dilated in a grave and earnest way, and each of us should feel the responsibility that is upon us when Her Majesty's Ministers come down to the House with a proposal of this kind. I am bound to say that I have listened

to the discussion and have been at times perfectly astounded at the way in which the name of the Queen has been introduced within our walls. It is an ancient and constitutional practice of the House, and very well known, that the name of the Sovereign should not be introduced in debate for the sake of influencing our votes or opinions. But, besides hon. Members such as the hon. Member for Boston (Mr. Atkinson), the hon. Member for Lincoln (Mr. Kerans) and others, we have had even Members of the rank and influence of the noble Lord the Member for Paddington and the Chancellor of the Exchequer offending against this rule. Now in this connection some very significant language was put into the mouth of Her Majesty upon the occasion when she delivered her first Address to this House. On November 23, 1837, the following Message came from the Crown—

"I place unreservedly at your disposal those Hereditary Revenues which were transferred to the public by my immediate predecessor, and I have commanded that such papers as may be necessary for the full examination of this subject shall be prepared and laid before you."

And then follows this sentence—

"desirous that the expenditure, in this as in every other department of the Government, should be kept within due limits. I feel confident that you will gladly make adequate provision for the support of the honour and dignity of the Crown."

At that time Lord Melbourne was Prime Minister, and no man was more a master of courtly language and propriety of expression, and he permitted the Crown to use these words—"desirous that in this as in every other department of Government," showing that the expenditure of the Crown was a department of Government. This is remarkable language, and, at all events, far removed from the extraordinary declaration that fell from the First Lord of the Treasury, and which has been commented upon more than once when he referred to the "sacred institution of the Throne." It may have been that the expression was due simply to an infelicitous choice of words, but certainly it was wholly inappropriate to the subject the right hon. Gentleman was laying before us. I notice, too, that the leading journal this morning, in reference to this subject in connection with the Royal Marriage, uses this language—

Mr. Fenwick

"There appears to be a strange lack of judgment in the policy which selects a time when the most generous emotions of the nation are thus stirred to raise a pettifogging controversy about the claim of the Crown to have a provision made for the children of the Prince of Wales."

Now I protest against this sort of language. It is not only our most undoubted right, but our duty to criticise closely and unsparingly any proposal that Members may make to increase the burden upon the people. I can only look on this sort of language as part of that flunkeyism of which we have far too much evidence in this great City of London. I only wish the right hon. Gentleman the First Lord before using his curious expression had referred to what took place in debate on December 18, 1821, and he would have found some very interesting references to the undoubted privileges of the House in these matters. I maintain that as a matter of Constitutional usage, the Crown is only known within these walls as an Estate of the Realm, and all mention of Her Majesty's name is wholly unparliamentary and unwarranted. Passing from this I wish to endorse most strongly the complaints raised from these Benches as to the conduct of the Government in this matter. In the first place it was admitted by the Prime Minister when it was pointed out that precedents had been absolutely disregarded, it was admitted by the Prime Minister that someone had blundered, and I venture to think that somebody has been blundering all through, both in the way this proposal has been presented to the House, and to the Committee, in withholding information from the House necessary for us to come to a conclusion on this matter. Long before the appointment of this Committee, the right hon. Gentleman the First Lord was pledged up to the hilt to grant a Committee, and I for one extremely regret that he did not fulfil his promise before this outburst of feeling arose in the country, when we could by means of a strong Committee impartially chosen have examined the whole matter carefully and quietly. In 1887 we had a deliberate promise from the right hon. Gentleman that the Government would appoint such a Committee. Three times in 1888 he repeated his promise, and said the subject was engaging the serious atten-

tion of the Government. In February this year he said—"It is our intention to appoint the Committee"; in March he alluded to the subject in a similar manner, and in April again, when he excused himself for delay, and added that there was no immediate intention of asking the House for any Grant. But passing from the blunder of want of fulfilment of the many pledges given, I think the greatest blunder of all is that which has been several times alluded to, the withholding of information from us. It is quite true that, owing to extraordinary generosity and magnanimity manifested all through by the right hon. Gentleman the Member for Mid Lothian, there appears at the bottom of the Report of the Committee a statement that the Committee were satisfied that the Ministers had given such information as was necessary, and I cannot myself help expressing some little surprise that this should have been conceded, as I assume it was, unanimately. I believe that the hon. Member for Northampton (Mr. Labouchere) did make a protest, but I am not aware that any of his hon. Friends did so. But it does seem to me, looking at the Reports of the Committees of 1830 and 1837, that the Government have not been so candid as were the Government in those years in laying full information before us. I put a question to the right hon. Gentleman about a fortnight ago in reference to this matter, and I ventured to suggest that, seeing the unauthorised, inaccurate, and most mischievous reports the *Times* was giving day by day of the proceedings in the Committee, it would be well that the House should have a full and correct record of the proceedings. The right hon. Gentleman in his reply took a rather unfair advantage of me by saying it was unusual to lay before the House the proceedings of the Committee, showing how Members spoke this way or that. But I did not wish to have the conversations of the Committee, I only desired that a full and correct account of the proceedings of the Committee should be laid before the House. My complaint is supported by an expression used by the noble Lord the Member for Paddington, who on Friday spoke of the "meagre account of the proceedings of the Committee with which we have been furnished."

Even the hon. Baronet the Member for Sussex (Sir W. Barttelot) endorsing the proposition of the right hon. Gentleman the Member for Newcastle, suggested that the confidential communications made in Committee had better be made known to the House and to the public. It does seem to me that if all this mystery had not been maintained, most of the exaggeration that has arisen would not have arisen. This mystery is bad in itself, and absolutely untenable. They are no true friends of the Crown, and, consequently, of the nation, who make such a great mystery about these money matters. I believe that a great deal of the exaggerated ideas about the subject would have been avoided had the simple facts been known. It is absolutely necessary that we may form an accurate judgment that we should have facts before us. The right hon. Gentleman the Member for Mid Lothian on the 4th July laid down this maxim—

"When the Committee is appointed it appears to me any individual Member on the Committee will be at perfect liberty to say—I will not consent to give additional sums of public money for the support of members of the Royal Family until I have had some knowledge of what are the means already at the disposal of the Royal Family, of course excluding the Head of the Royal Family, the Sovereign herself."

Now, that, I say, covers all our demands on this subject. The noble Lord the Member for Paddington favoured us the other night with the story of the Sandringham estate, but all that the facts amounted to was this, that His Royal Highness having invested the income provided for him in this estate, recognised the maxim of Drummond that "property has its duties as well as its rights." I could not help thinking while the noble Lord was giving us this long story that this maxim was one he might commend to the notice of some of the clients of the Chief Secretary for Ireland. The noble Lord gave us a letter written some years ago by the Private Secretary of His Royal Highness as to the statement about a million invested, and there again is a proof how necessary it is in these matters that we should have the actual facts embedded in Parliamentary documents. On Friday the Chancellor of the Exchequer used this extraordinary language—

Mr. J. E. Ellis

"I say that we have documentary evidence that in many cases these savings have been applied, for those special cases when the Privy Purse should not meet the necessities of the moment. There have been minutes in times past where the savings of a certain number of years have been applied to meet purposes which the Government of the day acknowledged might fairly have been put on Parliament, but which Her Majesty was anxious to discharge from the Privy Purse."

Why should we not have had the actual data before us? I say the worst friends of the Crown are those who come down to the House and make these more or less hypothetical statements without justifying their assertions by actual Parliamentary documents circulated in the ordinary way amongst Members. I listened with great attention to the speech of the junior Member for Northampton (Mr. Bradlaugh), and I could not quite follow him, as he seemed at one time to think that the savings in the Civil List might be used by the Crown.

*MR. BRADLAUGH: I alleged that there was no right to issue them unless they were needed in aid.

MR. J. E. ELLIS: I believe the hon. Member went further than his Colleague, but the facts before the House are these—that the annual income from savings from all classes of the Civil List, together with the increment of revenue from the Duchy of Lancaster, amounts to far more than the sum now asked for for the Prince of Wales's family. That is sufficient for me, bearing in mind the fact that the children of the Queen are all provided for. I fail to see that any case has been made out for the imposition of these additional burdens on the taxpayers of the country. A good deal has been said on the point of giving notice to hon. Members, and I am sorry the right hon. Gentleman the First Lord of the Treasury is not at this moment in his place. He quoted to us an important speech on this subject, made in 1843, when a Grant was being proposed for the Princess Augusta. He did not, however, read to the House all that was contained in that speech. Sir Robert Peel, on the 12th June, 1843, in proposing the Grant, said:—

"I find that the general rule adopted and sanctioned by the House of Commons in respect of provision made for Princesses of the Royal Family has been to assume that the parent of the Princess—whether of the reigning Sovereign

or any member of the reigning family—should undertake during the lifetime of that parent out of the provision made for him either from the Civil List granted to the Sovereign or from the Consolidated Fund granted to the Royal Family by Parliament to make provision for the Princess."

That is a statement of a very wide character, and I am unable to see how the present case is exempted from it. It says that the rule of the House of Commons is that provision shall be made by the reigning Sovereign or any persons to whom Grants have been made for their daughters during their lifetime. I should like to have some light thrown upon that from the Treasury Bench—to know what view the Government take with regard to it. On Friday it was my misfortune to be unable to agree with my hon. Friend the Member for Northampton, as his Amendment seemed to me to imply an assent to which I did not wish to commit myself and to make a proposal which I held to be quite impracticable. And my objection was not limited to the form of the Resolution, but I took objection to the procedure. Having appointed a Committee, we were bound to give its Report due consideration, and not to pass it by in the manner which that Motion would have done. On the other hand, I attach great importance to the question of finality in a matter of this kind, and think that if we give any additional Grants to the Royal Family we should at least have in return an absolute and unconditional withdrawal which we have not yet received from any further claim to Grants of this kind. It has been said that the position of the right hon. Member for Newcastle is neither logical nor consistent. I do not agree with that assertion. But whether it is true or untrue, the Government are not entitled to press such an objection after the course they have pursued in this matter. For my own part I shall support the Motion of my right hon. Friend, because I do not think any case has been made out for additional Grants, seeing that there is reason to believe there are ample funds in the hands of the Crown to meet any claims upon it; and because we have no security against a future renewal of claims of the same kind as those which are now put forward.

**Mr. ESSLEMONT (Aberdeen, E.):* I suppose it may be taken for granted

that, coming from an Aberdeenshire constituency as I do, there is no suspicion as to my loyalty. We have been long accustomed to the presence of Her Majesty as a resident in that county, and I can assure the House that the universal feeling of the inhabitants is that there is no Monarch in the world more beloved than our Queen. But though I hold that opinion, I am one of those who regret that Her Majesty's name has been brought into this discussion as it has been. We were told by the First Lord of the Treasury that the whole responsibility rested on the Government, and my complaint is that the Government have for the last two years been constantly asked to report on the Royal Grants—to appoint a Committee to consider them. But during the whole of those two years no Committee has been appointed, and no consideration has been given to the subject, and now the name of Her Majesty is introduced in support of the application of the Government in what appears to me to be a most unwarrantable manner. I think I am not misrepresenting them when I say that the people in the North of Scotland do not object to the granting of all that is necessary for the maintenance of the Monarchy; but they feel that the sum which the taxpayers are called upon to subscribe is far beyond what is necessary. And I am sure that this feeling is almost universal on the subject. We are not prepared to vote any further sum of money without first considering the maintenance of those parasites who live upon the Civil Grants, and do no service to the State whatever. We feel that the Monarchy is not dependent on those who surround the Throne without contributing to the service of the State; and, feeling this, we are not prepared to vote any further Grant until we have the Civil List put into such a condition that, in maintaining the greatness of the Crown, we shall also be contributing to the service of the country. I have no intention to go into any criticism of precedent. I care nothing for precedents of 50 years ago. During the last 50 years the electorate has been entirely changed; still I believe that three-quarters, if not nine-tenths, of the working classes are resolved to maintain the Monarchy, although they are no prepared to keep a large number

year from the Duchy of Cornwall, £50,000 to the Prince and Princess of Wales by way of Parliamentary Grant, and about £2,000 for Military allowances. Then there is the rental of Sandringham, the rental of which will be £5,000 or £6,000 a year; so that, in adding these sums together, I make the income of the Prince of Wales to be about £120,000 and two free houses. My impression is, that in these hard times, when living is comparatively cheap, and the value of money is enhanced, that the Prince of Wales ought to be able to maintain his family on £120,000 a year and two free houses. I do not want to make invidious comparisons between poor men and the Prince of Wales, but I would point out that many high public officials on the hundredth part of that sum—namely, £1,200 a year and one free house, maintain, educate, and make provision for their families. We are told that the children of his Royal Highness are growing up, that they are going out into the world, and that some extra allowance ought to be made on that ground. But that is the experience of small men as well as great; that we are obliged to set apart a portion of our incomes to meet the greater requirements of our families. It is not too much to ask a man to put aside a quarter of his income to provide for his family and place them in the world; and if the Prince of Wales devoted £30,000 to those purposes he would still have £90,000 for his own maintenance. No figures have been laid before the Committee to prove that the present income of the Prince of Wales is insufficient, and I venture to submit that the *onus probandi* of proving that rests with those who are making these proposals to the House. It has been said that His Royal Highness the Prince of Wales is put to great expense on account of the duties that he performs on behalf of Her Majesty. If that is the case, it is not a matter that concerns this House, but rather for family arrangement. But in my opinion the expense His Royal Highness is put to in respect of those duties has been grossly exaggerated. That His Royal Highness performs his functions in a most exemplary manner is universally admitted, but the performance of those functions is a part of his duties for which he is paid. It is

Sir G. Campbell

the duty for which Princes are kept, not the function of the Sovereign. We have been told that his duties have been greatly increased in consequence of the retired life which was led by Her Majesty. I do not believe that is really so. His Royal Highness entertains the people he likes, whereas it is the function of Sovereigns to entertain those people whom they do not like, that is to do duty entertainments. We ought not to dip our hands into the taxpayers' pockets because the Prince of Wales likes to entertain his own friends, and does entertain them. In the interests of the taxpayers I shall vote against this proposal.

*SIR GEORGE TREVELYAN (Bridgeton, Glasgow): I think that everybody who heard the few words that have fallen from the President of the Board of Trade must feel that the right hon. Gentleman has spoken like a gentleman, and that he has made an explanation, under very trying circumstances indeed to himself, in a manner that certainly should give every satisfaction to the Opposition side of the House. But in the imputations which the right hon. Gentleman has repeated and enforced, in perfectly Parliamentary language, there are charges which I think it right to do my best to rebut. I wish, in the beginning, to state in a few words my belief that nobody on the Opposition side of the House is influenced by the motives which have been widely attributed to them, chiefly in the newspapers—namely, that they have a feeling against the Royal Grants because Her Majesty has not for a number of years sufficiently kept up the splendour of the Court. Now, Sir, in the first place, I do not believe that the allegation that Her Majesty has not kept up the splendour of the Court is true. I am not a very good judge of such things, but it seems to me that the Court has been kept up in a manner most splendid and worthy of the country. In the first place, from whatever sources the savings of Her Majesty may have come, they have not been made at the expense of the splendour of the Court, and in the next place, the people respect her Majesty for living a quiet, domestic life in the intervals of splendid representation. Therefore the action of those who are opposing these Grants is in no way to be attributed to such motives or reflex-

tions. My time is short, and therefore I wish to come straight to the principle upon which those who opposed these Grants are acting. We contend that the payments made to Royalty should be made upon the true principle that, from the very highest downwards, payments from the nation to the officeholder should be made direct to the holder, and that we have no concern with any one but the holder of the office. One of our Monarchs—a high prerogative Monarch, if ever there was one—described himself as a great servant of the Commonwealth—the highest and noblest title which a King can have. Now, Sir, I hold that ample provision should be made by means of payments out of the Exchequer to enable the servants of the Commonwealth from the highest to the lowest to discharge the duties they are called upon to perform. In my opinion, this House has no business to inquire into the amount of the Queen's savings, nor to follow them when they have been made. We have just as much right to follow the savings, if I may use the simile without disrespect—of the humblest clerk in the Public Service. But we are bound to consider the amount of the public emoluments which are attached to the Throne. The Civil List amounts to £385,000 a year; the Duchy of Lancaster, £50,000; Grants to members of the Royal Family, £150,000; income from the Duchy of Cornwall, £60,000. Now the total sums, therefore, which are devoted to the maintenance of the Royal Family amount to £645,000 a year without counting other items in the Estimates—that is to say 64 or 65 times as much as the highest salary in the country—that of the Lord Chancellor. But then hon. Gentlemen say that so much official and necessary expenditure has to be met out of this enormous sum of money. That is the case with the Crown, but it is the case in all other important places. Judges and Bishops have to spend a great deal of money on official representation. I remember very well Lord John Russell giving evidence before a Parliamentary Committee, and he testified that a Prime Minister gained nothing whatever in the long run from his income of Prime Minister.

Mr. H. H. FOWLER (Wolverhampton, E.): He said the balance came out on the wrong side.

*SIR GEORGE TREVELYAN: Yes, on the wrong side; and then hon. Gentlemen forget that this £645,000 is a net sum. You may talk of its being necessary to give the Royal Family very large emoluments, but just conceive how rich a nobleman must be who has a net annual income of £645,000. Why, it is not too much to say he would receive the whole agricultural rent of some of the very richest counties in England. In the case of a nobleman it is not all gain. He has to maintain his farms, to keep up his houses in town and country, but in this case the houses are not only provided for Royalty, but actually maintained by the country. The right hon. Gentleman the Member for West Birmingham said all we had to do was with that part of the Royal income that is within the Royal control; but I should like to know how much of a man's private income is out of his control. Mention has been made of the great number of pensions and superannuations which the Royal Family have to maintain. Everyone knows that in the great landed estates there are very heavy pension allowances indeed; but in the case of the Royal Family the superannuation allowances are specially provided for. They come out of the specially allotted portions of the Civil List. Here we have the pensions, wages for servants, household expenses, the maintenance and repair of houses—everything provided. It is very difficult, indeed, to know what it is that remains to fall on the £125,000 a year. The maintenance of her children does not fall upon Her Majesty. It is entirely a question of the grandchildren; and whether we take the £125,000 a year of net income, or the £645,000 a year of gross income, in either case the country has done nobly and worthily by the Royal Family. My right hon. Friend the Member for Leeds speaks of the Duchies and the Crown Lands as private property of the Crown. They are not private property. They are public funds, allotted to the payment of a particular high functionary. You might as well say that we could not regulate the salary of a Judge who was paid out of Court fees. This argument

raises the very serious question whether Parliament has a right to deal with endowments, because if we are not to discuss Royal incomes because they are specially allotted, then surely the House of Commons is altogether in the wrong when it touches University and the other endowments. But it is said not only have children, but grandchildren have been provided for. These provisions for grandchildren came down from other days from which we refuse to take precedents. We have been referred back to the days of George II. In the days of George II. it was not only the Monarch who provided for his grandchildren, every Prime Minister, every Lord Chancellor, every Lord Chief Justice provided most splendidly for their children at the public expense. Sir Robert Walpole, in addition to a great deal else, gave his three sons the Collectorship of Customs, the Auditorship of the Exchequer, and the Collectorship of Pells, and Horace Walpole, in a well-known passage, said:—"My fortune is a noble fortune for a third son, and much beyond what I expected or deserved." And yet he only got £5,000 from his father. All the rest he got from the nation, and he regarded it as an integral part of his paternal inheritance. People were so much accustomed in those days to provide for their families that they actually put down everything they got from the nation as part of the inheritance from their parents. I am not going to trouble the House with extracts to prove what can so easily be proved—that we now have in our Public Service, and in the Law Courts, the highest standard of public spirit, and that great men now consider that they must provide for their families out of their means and not by any special Grant from the country. And what is right in the Public Service of the country should begin at the top. We ought to give the Crown ample dignity and ample income, but the grandchildren should be supported by the Crown. The Government, as we know, take another view. With regard to the right hon. Member for Newcastle, for my part I consider his position as one that is admirably defensible. It is impossible for me to endorse such a sentence as this—

"In view of the facts above stated your Committee are of opinion that the Queen would

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have a claim on the liberality of Parliament should Her Majesty think fit to apply for such Grants, as, in accordance with precedent, may become requisite for the support of the Royal Family."

We are told that that declaration of Parliament is neutralised by Her Majesty's expressed intention not to press the claim for Grants for the children of her daughters and younger sons, but though it might not stand good for Her Majesty it stands good for us. We are called upon to endorse this very serious declaration, and the Chancellor of the Exchequer has said that the Government adhere to its full words. When a Chancellor of the Exchequer makes such a declaration it is an invitation to draw upon the Treasury which in future days will not be resisted. Do you think such a declaration can safely be made? My right hon. Friend, taking the words in their exact sense, is perfectly right when he says that he would not consent to any such declaration. In my opinion, in the amount of income which Parliament gives to the younger members of the Royal Family, we sanction a scale of expenditure which is unwarrantably high. Eighteen years ago, as one of a minority of 11, I protested against this grant in the case of the Duke of Connaught. Princes get £25,000, and it is not in the interests of the country as a result that it should be covered with miniature Courts. The members of the Royal Family who have no official duties to perform have no need to have a number of ladies and gentlemen about them. The example set at home is followed in the Colonial and Indian Establishments of Governors, and the result is that there are far too many aides-de-camp and military secretaries who do no good whatever in proportion to the salaries and allowances which they draw. For my part, I entirely agree with the hon. Member for Morpeth, and I was glad to hear him quote the lines he did, which are not out of place on a Money Bill. In this age of large expenditure, idleness, and snobbishness there is need for the example of a highly-cultured, gentlemanly life, and if such a life cannot be led for less than £25,000 a year it is a bad and sad business. I will give a specimen of the sort of depth of fallacy into which even able men may have been led by Parliament insisting

upon successive occasions in voting these Grants. The *Spectator*, which is supposed to be the most intellectual and high-flown paper in the country, observes that our Princes are poor, not only by comparison with millionaires, but by the side of well-to-do gentlemen, and that the nation must provide the necessary allowances, which have already been cut down to the lowest point of expenditure, for what English society regards as a dignified position. [*Ministerial Cheers.*] Those cheers, which are uttered by hon. Gentlemen opposite, are the expression of what we think to be so unfortunate an opinion that we are delighted to have the opportunity of expressing by our vote that we do not agree with it. We will never endorse the opinion that it is necessary to have a net income of £25,000 a year to maintain a dignified existence. It is very important in this Debate that we should avoid personal taunts, but the right hon. Gentleman the Member for West Birmingham has made a violent attack upon Gentlemen below the Gangway. In the days when those taunts were directed against the right hon. Gentlemen I thought them very sorry sort of trash, and I think the same now. In this case it is no question of truckling to the people or of insulting the Throne. It is a question of laying down first the true principles on which the necessary payments should be made to the holders of official positions however high, and to them alone; and, secondly, that these payments shall be quite ample, but not more than ample; and it is because in these proposals now before the House both those principles are violated that I voted on Friday in the minority; and that I earnestly hope that that vote will be repeated, increased, and emphasized by the Committee to-night.

*SIR H. JAMES (Bury, Lancashire): Knowing, as I do, the value of time at the present moment in regard to the arrangements for this Debate, I do not propose to follow my right hon. Friend in those very general observations he has thought it right to make, and which I may suggest would be equally applicable when my right hon. Friend addressed any public audience on any other political subject in the country. I should not have been disposed to break the charm of this discussion, resulting from the fact that no lawyer has taken any part

in it, if a great deal of law, or what was called law, had not been stated by two hon. Members. I begin to take a somewhat special interest in the constituency of Northampton. It must, indeed, be a very remarkable constituency. I know a borough in Lancashire in which there are many people who think that one lawyer is not a sufficient representative for the constituency; but at Northampton they seem to revel in two lawyers, or, at least, two amateur lawyers, who, with the fate belonging to amateurs generally, fail in completely accomplishing what they attempt to do. It is because I know the force of the statements made by both those hon. Members—the leaders of the Party which is now fighting against these Grants—that I am about to take part in this Debate. The hon. Gentlemen in question may make most erroneous statements when addressing popular assemblies without being liable to correction; but I think it would be a matter of regret if they were allowed in this House to make statements on matters of law without foundation, and if no one in this House were to say that he dissented from those statements. Such silence would give an acquiescence which, I think, ought not to be allowed. First, I will deal with the junior Member for Northampton, and with one statement only, for I have no time to deal with the others. I must refer to the hon. Member's opinion upon a legal subject with a certain amount of respect. I recollect the late Sir George Jessel giving this advice to a young legal friend of mine:—"If ever you have to give a legal opinion it had better be short, and, if possible, accurate, but always let it be positive." The junior Member for Northampton has apparently thought but little of the second of these injunctions, but he certainly has obeyed the third canon of Sir George Jessel's views, for he was as positive as anybody could be when he asserted that the possession of the Hereditary Revenues of the Crown resulted from a mere slip of the draftsman, and that otherwise there would have been no possibility of the occupier of the Throne after the time of James II. ever having any Crown Lands to surrender. The hon. Member asked, "When William III. arrived from Holland what could that Dutchman have had to surrender?" The hon. Member also

says, in a pamphlet he has written, that when our Sovereign surrendered her Crown Lands she had nothing to give up, and that this is a fraud upon the public. Surely that statement answers itself. When William III. became King of this Realm, he, by virtue of occupying the Throne, became entitled to all that his Predecessor possessed. As I prefer not to enter upon a legal argument, I refer the hon. Member to an authority any layman can understand, I mean the 15th chapter of Macaulay's *History of England*. William III. granted five-sixths of the County of Denbigh away to Bentinck. This grant was stoutly opposed on the ground of policy by a sturdy Welsh Member, Mr. Price, and others, and the King eventually recalled that particular Grant, but at the same time he granted the Welbeck Manors in Nottinghamshire and Lincolnshire to Bentinck, and not the least objection to this was raised in a Parliament which was full of great Whig and Republican lawyers. The holding of the land was so far personal that the Sovereign could at this time grant it away to a personal favourite or for public services, and the title was absolutely good as against the nation. [An hon. MEMBER: No, no.] Well, then, let the hon. Member bring an action of ejectment against the Duke of Portland. But I will not go further into this matter. I only touch on it. When the Queen came to Parliament in the first year of her reign, she said:—

"I place unreservedly at your disposal those Hereditary Revenues which were transferred to the public by my immediate predecessor, and I have commanded that such Papers as are necessary for a full examination of the subject shall be prepared and laid before you."

Parliament dealt with Her Majesty on the terms that she gave up her Hereditary Revenues. Nobody said that her statement was incorrect, and it would be a breach of faith for Parliament now to say—as the hon. Member for Northampton does—that the Crown possesses no hereditary lands to surrender. I pass on now to the second distinguished lawyer, the senior Member for Northampton, who has also told us his views of the construction of an Act of Parliament. The hon. Member said there had been an impropriety practised by those who represented the Treasury year after year and during Government

after Government. He stated, and stated accurately, that there had been a surplus in different classes, especially in Classes 2 and 3, of the Civil List, and that there was no right to apply that surplus in aid of the Privy Purse. I object to this statement being made by those who have such an influence in the country. My hon. Friend must allow me to say that he was entirely inaccurate. In the Civil Service Act of William IV., which is precisely similar to that of Victoria, the same words were employed which allowed a surplus to be transferred from one class to another. During that reign there was a transfer of £22,000 from Class 2 and Class 3 to the Privy Purse. At the beginning of the present reign a Committee sat with many economists upon it. [*Cries of "Oh, oh!"*] In November, 1837, a Committee sat, including Mr. Hume, Mr. Hawes, Sir R. Peel [*Opposition laughter*], and others. A laugh is raised at the economical policy of Sir R. Peel. Let hon. Members read that Report. Sir Robert Peel showed himself a careful guardian of economy, and this Committee acquiesced in the view I have expressed, and repeated the words of the same Statute, and the Advisers of the Crown, and lawyers and laymen, have constantly and continuously acted upon that view, accepting it as correct. These attempted attacks upon the interests of the Crown, or the conduct or wisdom of the Advisers of the Crown in past times, ought to be swept away, and we ought to approach this question on its merits. With respect to the Amendment before the House, I was astonished to hear my right hon. Friend the Member for Newcastle, followed as he was by the hon. Member for Leicestershire, complain that the Government have not afforded to the House, or to the Committee, sufficient information upon the matter now before the House. Well, but it was referred to a Committee of Inquiry, and if there was not information, information ought to have been given to the Committee. But the right hon. Member for Mid Lothian has placed on record that the Committee received all the information which was material.

MR. J. MORLEY: My right hon. and learned Friend entirely misunderstood what I said. I did not complain, but suggested to the right hon. Gentleman

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that he might as well have communicated to the House the information which had been communicated to the Committee. I made no complaint of want of information afforded to the Committee.

*SIR H. JAMES: The Committee had before it that which caused the right hon. Gentleman the Member for Mid Lothian to be grateful and to say that the fullest information had been given. I should have thought that in the numerous Appendices the information was tolerably complete, even according to the hon. Member for Northampton.

*MR. LABOUCHERE: I said that I perfectly understood that Her Majesty had a right to state to the Committee what her private fortune was without the statement being made public. At the same time, I think it would be to the advantage of Her Majesty if it were made public. But I went further, and say that if the figures laid before us were correct, my hon. Friend the Member for Sunderland was entirely wrong in his statement, and it was because I felt myself in honour bound to assist my hon. Friend that I alluded to the matter.

*SIR H. JAMES: The Committee exactly followed the precedent of the Committee of 1837. It refused, with the acquiescence of every Member, to lay the private transactions of the Sovereign before the public. The truth is, that my right hon. Friend the Member for Newcastle has attempted to take up an intermediate position—he is between two millstones. One is the First Lord of the Treasury, whose weight, it will be admitted, is considerable; and the other millstone is the hard and somewhat obdurate substance represented by the hon. Member for Northampton. But that is not all. Not only is the right hon. Gentleman between these two millstones, but who is working the machinery? There is somebody acting as the miller, and it is the right hon. Gentleman the Member for Mid Lothian who is working the machinery. And what can be the result to my right hon. Friend when he finds himself between two such conflicting bodies so directed? I cannot say what will be the result to my right hon. Friend. But I can imagine my right hon. Friend the Member for Derby making his re-appearance, after going through the mill, ground to powder. I think, therefore, that in

future my right hon. Friends should deal more carefully with intermediate parties than they have been in the habit of doing. But has not the whole proceedings of the evening been almost laughable? Has there not been a most useless consumption of public time? There has been skirmishing, and nothing but skirmishing, to-night. As a rule, skirmishing precedes the battle; but now we are skirmishing after the battle, and my right hon. Friend has skirmished on behalf of those against whom he voted on Friday night. My right hon. Friend has given no sufficient excuse or explanation of his position, and I am compelled to trace its existence to the fact that my right hon. Friend gave his vote on Friday to satisfy the entirety of his conscience, and will vote to-night to satisfy a portion of his constituents. The hon. Member for Northampton replied to-night to the right hon. Member for Newcastle.

*MR. LABOUCHERE: I supported him.

*SIR H. JAMES: Yes, supported him by a vote, and that is what I am commenting on. My right hon. Friend and the hon. Gentleman are supporting one another by votes, but destroying each other by arguments. When a Minister of the Crown gives a pledge on the part of the Sovereign, I feel perfectly secure that that pledge will be fulfilled. Therefore, the hon. Member for Northampton said this evening that he was perfectly satisfied that during the present reign no such demands will be made as the right hon. Member for Newcastle says may be made. So also the hon. Member for Northampton says we are perfectly safe with regard to the future, because the future can take care of itself. If that view be correct, what is it that the right hon. Member is fighting for? He says that he is asking for finality. Finality when? During the present reign? That is assured. Beyond this reign we have no right to look for it. We cannot secure finality by a vote of this Parliament in respect of a Civil List which will be voted by another Parliament, and we ought not to attempt it. We are safe as regards the present reign on account of the pledges given. Why, then, should not the future take care of itself? Democracy, according to Gentlemen, is marching on and will

care of itself in the future. If we attempt to secure finality with respect to a future reign, we shall be dealing with conditions of which we know nothing—conditions which will not be controlled. In dealing with George IV. and William IV., we gave those Sovereigns certain Civil Lists, knowing there would, in all probability, be no children. But we cannot deal with Sovereigns advanced in life, and with a Sovereign of 18 with a future which can only be conjectured in the same manner. In the interests of economy we ought to act differently. Hon. Gentlemen say that for the children of the younger sons of the Sovereign there should be no provision. From that I dissent, and I think every Member of the House ought to dissent from it, because the children of younger children include the heir-presumptive to the Throne. Therefore if we make the Civil List by a rigid rule, if we deal with it in advance, we shall do so with the conviction either that it will be almost unconstitutional with respect to the Royal Family, or injurious to the public interests. I fancy there are a great many Members who agree in substance with my right hon. Friend the Member for Mid Lothian, but yet are going to vote, not because they believe the right hon. Gentleman wrong, but because they want to please their constituents. I am not going to traverse the rights of those who say they are true Republicans; I am not going to make an attack upon them. I differ from my right hon. Friend when he spoke of the tinsel and cotton-velvet of the Monarchy. I know of no quality which can exact homage from the nation except really high qualities of character. I believe the allegiance of the people to the Monarchy is now an allegiance rendered freely to those who play their part well and discharge the duties which the Constitution devolves upon them; and because I believe this, and for the reason I have given for objecting to the Amendment, I shall vote against it.

SIR W. HARCOURT (Derby): My right hon. and learned Friend (Sir H. James) says we are skirmishing; and in one sense that is true, because although no doubt we are the people who vote the money, the great battle on questions of this matter will be fought among and decided by

the people themselves. He has spoken with sublime contempt of that class of people who are termed constituents, and he has taunted Gentlemen on this side of the House for voting according to the wishes of their constituents; and yet, at the same time, we are told that the opinions expressed on this side of the House are not the opinions of the people. I do not know how those two statements are to be reconciled. I acknowledge that the right hon. and learned Gentleman, in dealing with those with whom he formerly acted, spoke in a kindly and good humoured spirit, and I wish I could say that of all who have spoken. These Debates, although they, no doubt, raise sharp differences of opinion, have hitherto been characterised by a happy absence of bitter Party spirit. But the right hon. Member for West Birmingham (Mr. Chamberlain) introduced that spirit in its most acrid and bitterest form to-night. He talks of the cant of the new Radicalism. I will borrow a well-known saying of Lord John Russell, when he said there was something more sickening than the cant of new Radicalism, and that was the recant of old Radicalism. He talked of the people with a great "P." Well, but he has betaken himself now to greater people than he formerly associated with. He has spoken with spite and condemnation of those who stir up animosities and jealousies among classes. [*Cheers.*] Yes, but this lecture comes to us from the great preacher on the text which speaks of "those who toil not, neither do they spin." He says that he interprets the true opinions of the people, and that men like my hon. Friend the Member for Morpeth (Mr. Burt) know nothing about the people, and they are only Nihilists. According to him we are Nihilists on this Bench. I wonder that my right hon. Friend chooses a seat in such a very inflammable and dangerous quarter of the House. Why does he prefer to sit amongst Nihilists? I confess that I am almost alarmed for his personal safety, and I would almost entreat the right hon. Gentleman the Home Secretary to supply him with police protection, if it were only to defend him from that dark and dangerous character the hon. Member for Islington (Mr. R. Chamberlain), who voted with the hon. Member for Northampton the other night—a Nihilist with whom my right hon. Friend stands in closer

relations than he does with us. Well, we have had a severe lecture from my right hon. Friend; but as he stood at this box lecturing us on loyalty to our Leader, I could not help thinking that it was a Dissident Liberal reproving sin. I confess myself that I am sorry that my right hon. Friend should have introduced this tone into the Debate, which seems to be almost unworthy of the dignity and magnitude of the subject we are discussing. I do not think that any advantage is to be derived from terming hon. Gentlemen who hold one opinion by the name of disloyal any more than if we were to call you who hold a different opinion parasites and sycophants. I do not believe that either designation is true. I believe that Gentlemen in this House can take different views on this as on other subjects perfectly conscientiously, and with the honest belief that they are acting for the best interests of the country. Therefore, I was glad to hear the President of the Board of Trade disclaim the sentences which had been attributed to him. I think it would be extremely unlike what we know of his character, if he attributed unworthy motives to persons because they entertain opinions different from his own. I would rather follow the example of my noble Friend the Member for Rossendale, who endeavoured the other night to examine what was the origin of the vote we are asked to give on this occasion, how the Committee came to be appointed, and what is the cause of the situation which has led to the conflict of opinion between the two sides of the House. Well, the last Grant which was asked for was for the Princess Beatrice; and on that occasion a Committee was promised. Now, why was a Committee promised on that occasion? It was because it was felt that the class of children had then been exhausted, that a Grant had been made to the last child, and that the next Grant which would be asked for would come within a different category, that of the grandchildren. That shows that at that time the House considered that grandchildren stood in a different category, and that their claims ought to be subjected to a fuller examination. I am not quite sure that the appointment of the Committee was a wise thing, or the original promise of it either, unless it was to enter into the whole question of

opening the Civil List. You might have opened the Civil List if you had chosen; indeed, the Civil List was opened. We have heard very fallacious and servile language used with regard to what are called compacts. But in the reign of George III., after he had been reigning 20 years, the Civil List was reopened, reviewed, and reformed altogether in the great measure of Mr. Burke. But, in my opinion, there is no occasion and no justification for opening the whole question of the Civil List now. In those days there had been great abuses. But there never was a reign which less called for and less justified an examination or a criticism of the Civil List than the present reign. There never was a Sovereign who more Constitutionally observed the duties of the great office which she holds. I do not for a moment admit that Parliament has not a perfect right, if it chooses, to open and examine the Civil List; but the Committee was very far more limited in its object. When this new chapter was opened by the Committee we had to consider what course ought to be taken with reference to the more remote descendants than the children. Here I venture to say, without any Party spirit, was the first error which the Government committed. They brought down the Message from the Crown with the ordinary old forms for two grandchildren as a matter of course, without any Committee, and without considering the question. Then the Committee was pressed upon them in the House, and they assented to it. Then they produced before the Committee certain Resolutions of which they have endeavoured to minimise the effect. It is said that they were not proposed by the Government, who merely suggested their views. However, these Resolutions are in the Report as the Resolutions to be proposed by the Chairman. What were they? They were a declaration of the personal right of all grandchildren to provision from the State, subject only to the exception that provision would not be asked for in the case of children of the daughters of the Queen. It has been said that we are not following my right hon. Friend the Member for Mid Lothian. I venture to think that we have followed him a great deal more than those who are going to vote for this Resolution; because when the Government made their declaration in favour of the right

accepted the Amendment. Were these passages in the Report mere *brutum fulmen* that we could pass by as if they were nothing at all? They were nothing of the kind. The whole object of Ministers from the very first has been to assert on behalf of the Crown the duty—that is the word used by the Chancellor of the Exchequer—of Parliament to provide for the grandchildren generally. It is waived it is true in the present reign in respect to the children of the younger sons and daughters, but a waiver is not a principle, it is an exception to a principle. The principle you desire to establish is the right that exists and the duty of Parliament to fulfil that right as regards the grandchildren. My right. hon. Friend, whose aid is lent to the Government, said the other night,

“In my opinion the question of the grandchildren of the reigning Sovereign, other than the children of the Heir Apparent, is settled, I think, for all time. This claim has as completely disappeared from the region of what may be termed practical politics as if it had been withdrawn by a deed on parchment stamped and sealed.”

Do the Government agree in that? If they do not, then they are receiving the aid of my right hon. Friend upon false pretences, because he has stated that these are the conditions of his support. But we have received no assurance of the kind from the Government. Even as regards the present reign they have never made any statement that no such claim shall be brought forward. The Chancellor of the Exchequer says it is waived for the present. I do not think it would be a bad thing with regard to this Resolution to test the opinion of the Government upon that subject by seeing whether they will admit an addition to the Resolution when it is passed, to the effect that no further Grants to members of the Royal Family shall be made during the present reign. Will they accept such an addition? If they refuse it why do they refuse it? The matter might be brought, by proposing such an addition as I suggest, to a very simple issue. But what to my mind is far more material is the difficulties and dangers which you are providing for the next generation. You have no business to appoint a Committee and then lay down the principle which we think very dangerous—that it is the duty of Parliament to provide for the grandchildren generally. I have read to the Committee what my right hon. Friend said on the

subject; but what did the noble Lord the Member for Rossendale say? There is no man more likely or fitter to have a potential voice in the settlement of the next Civil List than the noble Lord. What did he tell us? The noble Lord said the first thing that will have to be done is to provide a fund out of the public money in some form or other, not for the children only, not for the grandchildren only, but for the descendants. That is what you have got from your Committee. That is the only principle enshrined in the Report of your Committee. That is what is going to be carried against the opinion of my right hon. Friend the Member for Mid Lothian by those who claim and boast of his support. The other declaration, already referred to by the Chancellor of the Exchequer, is still more important, for he is a Minister of the Crown. The declarations of my right hon. Friend the Member for Mid Lothian are weighty declarations, but he is not a Minister of the Crown. I wish he were. Then his would be a binding declaration. But you take his declaration and do not mean to be bound by it. What is the declaration of the Chancellor of the Exchequer? He says:—

“If Her Majesty had chosen to make a demand on the liberality of Parliament, it would be the duty of Parliament to meet the claim.”

That is the principle he lays down. What claim? The claim for the grandchildren. Her Majesty waives it, but this declaration makes the claim good, in favour of her successor, as far as you can make it good because a waiver for life can bind a successor, and Her Majesty's successor may say, “My predecessor was placed in circumstances that do not apply to me. It was very natural and right that Her Majesty should waive the claim, but that is no reason why I should waive a claim which Parliament by its Committee has declared to be a just claim.”

*THE CHANCELLOR OF THE EX-CHEQUER (Mr. GOSCHEN, St. George's, Hanover Square): I am sure the right hon. Gentleman would not wish to misrepresent me in a matter of such importance. He will, therefore, permit me to say that I conceived the duty of Parliament to which I alluded to have arisen in consequence of the absence

Sir W. Harcourt

of previous notice, as set out in the Report. But in the Report this notice is now given with regard to future Sovereigns. I hope the right hon. Gentleman will forgive me for interrupting, but the point is of supreme importance.

SIR W. HARCOURT: Notice is given to the future Sovereign? Yes, indeed, there is. But what notice? That his claim is a good claim. That if he makes the claim Parliament is bound to fulfil it. I do not know whether the right hon. Gentleman is alluding to another paragraph in the Report, where it is said, "Arrangements should be made under which no future claims of the kind can arise." Yes, but that has been interpreted by the noble Lord the Member for Rossendale to mean such a provision for the future Sovereign as will enable him to provide for the grandchildren. That is the interpretation placed on this sentence in the Report. Then what do we find? We find, first of all, these declarations of precedents, which my right hon. Friend the Member for Mid Lothian says are no precedents. We find this allegation of notice, which the right hon. Member for Mid Lothian altogether disavows, and no man can speak with greater experience or authority. Then we find this declaration of the right of the grandchildren inserted in the Report, and this my right hon. Friend disclaims and endeavours to strike out altogether. Now, it has been asked why we did not vote for the hon. Member for Northampton's Amendment the other night? I would have voted for his Amendment in Committee; it is immaterial to me by whom it is moved if circumstances justify the refusal of the Grant. I did not think it would be a usual or desirable course, when a Message had come from the Throne and a Committee had been appointed, that we should decline to go into Committee and see the Resolution, because we ought to know what the Resolution was. I am speaking of matters of form—it is only matter of form whether, speaking for myself, I should vote against the Grants on Friday or to-night. I am going to vote against the Grant to-night, because, in my opinion, that Grant is attached to declarations of principle which are perfectly unsound—declarations which, as far as they can go, endeavour to bind those who come after us to liabilities to

which they ought not to be made subject. The declaration of the universal right of the grandchildren is not in any degree set aside by the waiver of the present Monarch. If you had agreed to the Amendments of my right hon. Friend the Member for Mid Lothian, and had struck those paragraphs out of the Report, and had been willing not to endeavour to commit Parliament at the next settlement of the Civil List to principles that ought not to bind it, the position might have been different. As it is, the Government have determined, in spite of the protests of the right hon. Member for Mid Lothian, to persist in keeping alive those claims and endeavouring to embody them in their Report; and I see no means by which we can protest against those principles which we are not prepared to adopt except by voting against the Resolutions which Her Majesty's Government propose.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): The right hon. Gentleman has endeavoured, as the right hon. Member for Newcastle has sought to do, to give reasons to the House and to explain the peculiar position taken up by them on Friday with regard to the Amendment of the hon. Member for Northampton and their position to-night with respect to the Amendment proposed by the right hon. Member for Newcastle, which is substantially identical with that moved by the hon. Member for Northampton and voted against by the right hon. Gentleman on Friday. When I come to examine the terms of the Amendment I should say for myself that of the two Amendments that of the hon. Member for Northampton is the more courteous, as suggesting to Her Majesty a means by which her demands might be met, while the Amendment of the right hon. Gentleman the Member for Newcastle is a simple negative and amounts to this—that the House considers that the demand should not have been made. The Amendment of the hon. Member for Northampton declined to consider the claims of the Crown in Committee, but the Resolution of the right hon. Gentleman opposite is a simple and direct negative. Yet on Friday the right hon. Gentleman thought it necessary to go into the Lobby against the Amendment because he thought it was discourteous, but to-day he takes a

directly opposite course. So much time has already been occupied in this matter that I feel bound to compress my observations within the narrowest limits possible. The great objection of the right hon. Member for Derby is that the Government are asking the House to assent to the principles which are contained in the Report. We in Committee carried out the duties which were imposed upon us by the Reference. We followed out the lines suggested in the discussion raised by the right hon. Member for Mid Lothian in 1885. We felt it was our duty to see that the principle on which the Grants to the members of the Royal Family should be made should be considered by the Committee; to ascertain what precedents there had been, what the universal course of Parliament had been, and what the practice of Ministers had been in advising Parliament, and to bring that information to the knowledge of the Committee. There is no statement contained in that Report which is at variance with the facts brought to the knowledge of the Committee; and although the right hon. Member for Mid Lothian did not accept the conclusions which we drew from those facts, it is perfectly notorious from the views that he urged that he did not desire the Committee to come to a conclusion adverse to those facts. He urged upon the Committee that we should express no opinion either one way or the other with reference to the rights of the Crown. We have stated that we have been authorised to declare that Her Majesty does not propose to press this claim on behalf of the children of her daughters or of her younger sons; and the House is now asked to consider a provision for the children of the Prince of Wales alone, who, it is almost universally admitted, ought to be provided for. Hon. Members and right hon. Members who served on that Committee regarded them as fit subjects for a provision to be granted by Parliament, and we think, under the circumstances of the case, that they ought to be provided for by Parliament. But we decline to come to an abstract Resolution adverse to the right of the Crown to ask Parliament to make future provision for the descendants of the Queen. We decline to make any bargain of that kind. We believe the country would not require any such bargain, in view of the declara-

Mr. W. H. Smith

tion made by Her Majesty. What we have said on the present occasion is what every other Minister has said in dealing with this question for the last 52 years. No single Minister who has held office from this side or the other side of the House has at any time suggested that the Civil List was an allowance to the Sovereign or the Prince of Wales to enable them to make provision for their children. A great deal has been said about the desire of hon. Members to maintain the honour and dignity of the Crown, and the necessity for placing it in a position to discharge the duties of that great office. A great deal has been said of the manner in which those duties have been discharged by the Sovereign, and the way in which the Prince of Wales has discharged the duties of his exalted position, but with this we have nothing to do. There is or there is not an understanding with the Sovereign and the Prince of Wales that they shall provide for their family. I allege that all that has gone before has confirmed the view that we have expressed that there is no understanding with the Crown or the Prince of Wales that they shall make that provision. The right hon. Gentleman the Member for Derby says we cannot bind Parliament as to the rights of the Crown. Equally so we cannot bind Parliament as to the Civil List. These are considerations which I venture to urge upon the House. We decline to accept any interpretation of our words in the Report, or any gloss that may be put upon them by hon. and right hon. Gentlemen on this or on the opposite side of the House which is at variance with the plain meaning of the paragraphs to which reference has been made. We have placed before the House the deliberate opinions of the Government, which have been set out in the Report now before the Committee, and we rely on its judgment to sustain the view we have formed.

The Committee divided:—Ayes 355; Noes 134.—(Div. List, No. 261.)

Main Question put, and agreed to.

Resolution to be reported to-morrow.

REGULATION OF RAILWAYS BILL
(No. 333.)

Order for Second Reading read.

*THE PRESIDENT OF THE BOARD
OF TRADE (Sir M. HICKS BEACH)
(Bristol, W.): I have to ask the House

to assent to the Second Reading of this Bill, in order that it may be committed *pro forma* and reprinted with Amendments, by which it is proposed to omit the coupling clauses.

MR. STOREY (Sunderland): The Bill will not be worth having if the coupling clauses are omitted; and, therefore, on behalf of those hon. Members who take an interest in the matter, I object to the course proposed.

*SIR M. HICKS BEACH: At any rate, no one can object to my moving that the Order be withdrawn and the Bill discharged in order that I may introduce another Bill.

Question, "That the Order be discharged, and the Bill withdrawn,"—(Sir M. Hicks Beach.)—put, and agreed to.

POOR LAW BILL. (No. 338.)

Order for Third Reading read, and discharged.

Bill re-committed in respect of an Amendment to Clause 1 and to Clause 6, and in respect of three new clauses; considered in Committee, and reported; as amended, considered; read the third time, and passed.

CANADA (ONTARIO BOUNDARY) BILL [LORDS]. (No. 346).

Read a second time, and committed for to-morrow.

MARRIAGES (BASUTOLAND, &c.) BILL [LORDS]. (No. 352).

Read a second time, and committed for to-morrow.

TRUST COMPANIES BILL.

MR. H. H. FOWLER (Wolverhampton, E.): I would ask the hon. and learned Attorney General whether the Orders for Trust Companies Bill and a Private Bill lower down on the Paper might not be discharged, as the Bills raise an important question which it would be almost impossible to deal in the small remaining period of the Session. The Bills might be carefully threshed out in a Select Committee, and I would ask the Government to consider the desirability of discharging the Order?

THE ATTORNEY GENERAL (Sir RICHARD WEBSTER, Isle of Wight): Perhaps the right hon. Gentleman will postpone the Question until to-morrow.

I will look through the Bills. It is just possible there may be one or two clauses which might be passed. In all probability, the Orders will have to be discharged.

INTERMEDIATE EDUCATION (WALES) BILL (No. 349.)

As amended, considered.

On Clause 13,

*MR. STUART RENDEL (Montgomeryshire): I should like to have the word "efficiency" substituted for the word "merit" in the clause. "Merit" has a technical sense in conjunction with the system of payment by results in elementary schools. "Efficiency" is a wider word, and avoids risk of misunderstanding.

*THE VICE PRESIDENT OF THE COMMITTEE OF COUNCIL (Sir W. HART DYKE, Dartford): I see no objection to that, as the word it is proposed to substitute for "merit" is of wider application and does not possess the same rather technical significance.

VISCOUNT CRANBORNE (Lancashire, N.E., Darwen): I do not think this is a desirable alteration, as, if "merit" were substituted, it would be possible for all sorts of matters to be taken into consideration. This Amendment takes us by surprise, and we have not had time to consider it; but if it is a good one, no doubt it may be inserted on another occasion. I hope it will not be pressed now.

*MR. T. E. ELLIS (Merionethshire): I think the noble Lord hardly understands the object of the proposed change. Under the existing system of working the Elementary Education Act there prevails the method of payment by result. Now I am sure the Government do not desire to saddle intermediate education in Wales with this system, and I think it very desirable that the alteration should be made so as to enable the Inspectors to take note not merely of actual result, but of such questions as the sanitary condition of the schools, their equipment, fees, and courses of instruction.

Amendment put, and agreed to.

Amendment proposed, in page 6, line 8, after the word "endowments," to insert the words—

"Nothing in this Act shall prevent any proceedings under the Endowed Schools Act in relation to any scheme, of which a draft

been prepared, published, and circulated before the commencement of this Act, in pursuance of sections thirty-two and thirty-three of 'The Endowed Schools Act, 1869,' and such scheme may be proceeded with, submitted for approval, and come into operation as if this Act had not passed."—(*Sir William Hart Dyke.*)

Question proposed, "That those words be there inserted."

MR. WARMINGTON (Monmouth, W.): I should like some explanation of this Amendment. Considerable merit was taken by the Government for including Monmouth in this Bill, and I should like to know why this Amendment is proposed.

MR. T. C. BARING (London): I object to further progress. Not a single Amendment has been printed on the Paper, and we are legislating absolutely in the dark.

Objection being taken to further proceeding, the Debate stood adjourned.

*SIR W. HART DYKE: I will take care to have the Amendments printed.

Debate to be resumed to-morrow.

SETTLED LAND ACTS AMENDMENT BILL (No. 275).

Considered in Committee.

(In the Committee.)

Clause 1.

Committee report Progress; to sit again to-morrow.

BUILDINGS (METROPOLIS) BILL. (No. 240.)

MR. WHITMORE (Chelsea): In moving that the Order for the Second Reading of this Bill be discharged, I venture, in the presence of the Deputy Chairman of the London County Council, to express a hope that that body devote some attention to the excessive height of buildings in London, so that next Session it may either itself initiate legislation or further legislation to check evils over which it has now no control.

Order for Second Reading read, and discharged.

Bill withdrawn.

ELEMENTARY EDUCATION (CONTINU- ATION SCHOOLS) BILL (No. 171).

Order for Second Reading read, and discharged.

Bill withdrawn.

Motion made, "That the House do now adjourn."

THE SELECT COMMITTEE ON THE IRISH SOCIETIES' ESTATES.

MR. SEXTON (Belfast, W.): I am sorry to have to complain of the course being pursued in reference to the Select Committee on the Irish Societies' Estates. I wish now to ask, with reference to this Committee, what is to be done by the Government? Hon. Members were asked to postpone their Motions for the discharge of Members from the Committee in order that the suggestion of the right hon. Gentleman the President of the Board of Trade might be carried out and the Committee discharged. But the Members of one Party still continue to act on the Committee, which held a meeting on Friday. At Question Time I put a Question to the First Lord of the Treasury, who referred me to the Chief Secretary, who in turn asked me to wait till after midnight. When the Order of the Day came on after midnight, an hon. Member, who would not have acted on his own initiative, objected to progress being made, and the Government made no appeal to him. The Committee have summoned another meeting for this day, and I wish to know what practical step the Government intend to take, as the present procedure is unworthy the dignity of Parliament.

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I quite accept the view of the right hon. Gentleman, which is in accordance with the view I have expressed to the House, that a Committee entirely composed of one side of the House, however impartial may be its proceedings, cannot command that general assent which would make its Report of any permanent value as a guide to the House. I do not anticipate that any Report is likely to be made by this Committee of the nature which has been indicated, nor do I gather that the sittings are likely to continue. I think it would be better to wait a day or two and see what proceedings are taken.

MR. SEXTON: I hope the hint of the right hon. Gentleman will be sufficient.

Question put, and agreed to.

House adjourned at ten minutes
before One o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 15.] SIXTH VOLUME OF SESSION 1889. [AUGUST 7.

HOUSE OF LORDS,

Tuesday, 30th July, 1889.

SMALL DEBTS (SCOTLAND) BILL. (No. 177.)

Returned from the Commons with the Amendments agreed to.

POOR LAW BILL.

Read 1^a; to be printed; and to be read 2^a on Friday next: (The Viscount Torrington). (No. 195.)

MERCHANT SHIPPING (TONNAGE) BILL. (No. 174.)

Reported from the Standing Committee for General Bills, with Amendments: The Report thereof received: Bill re-committed to a Committee of the Whole House on Thursday next, and to be printed as amended. (No. 196.)

THE CRIMINAL LAW: TERMS OF PENAL SERVITUDE.

QUESTIONS—OBSERVATIONS.

*LORD NORTON: My Lords, in rising to ask the Lord Chancellor whether the Government have any intention to deal next Session with the subject of the length of terms of penal servitude under the existing law, I may state that I have had a notice on the Paper some time to move for a revision of the Acts relating to penal servitude, with a view to the resumption of the minimum term of three years. Hearing that a Bill to that effect was in preparation at the Home Office I have delayed bringing forward this notice, but now that the Session is drawing to a close I wish to ask the Lord Chancellor, on behalf

of the Government, whether any such measure is intended for next Session? I had myself a hand in the abolition of transportation, and served on the subsequent Committees which substituted the punishment of penal servitude for transportation, having resulted in the Acts of 1854 and 1857. A great mistake was made in measuring the terms of the new punishment by those of the old. In 1863 a Commission led to further lengthening those terms, under a panic caused by an increase of crime, which it was supposed that longer terms of penal servitude would check. But a Commission in 1878 repealed one of these longer terms, and reported that, in their opinion, penal servitude was sufficiently deterrent, but that it failed to reform, and they suggested that three years' imprisonment might usefully replace the five years' penal servitude. They, however, shrank from recommending Parliament to make repeated changes, and only proposed better classification against contamination in public works, and giving further trial to the existing system. I protested from the first against measuring penal servitude terms by the former terms of transportation. The two modes of treatment bore no relation or similarity to each other. Tentative changes had confessed the mistake, while all changes themselves have a bad effect on punishments. The highest and best opinion on the subject is that of Sir Edmund Du Cane. No man is better qualified to give an opinion upon the subject. He was not deterred from suggesting the change which he saw was called for, of shortening penal servitude sentences, by the happy fact of the recent diminution of crime. He knew that long punishments

had not caused that diminution of crime, but that reformatories, industrial schools, discharged prisoners' aid, and education had been the causes of that result. Now, my Lords, the question is—whether these penal servitude sentences are not too long, and I would ask your Lordships to allow me to read a few lines from a publication of Sir Edmund Du Cane's on the subject. In a volume entitled *Punishment and Prevention of Crime*, 1885, he says:—

"The amount of punishment should be the least possible to effect its object. The assigning periods to penal servitude, derived from the days of transportation, and excluding intermediate periods of years, is difficult to justify, and may soon defeat the main object. . . . There is much evidence to prove that after six or seven years the deterrent effect on the prisoner diminishes, and is therefore likely to be less on those who hear his account after discharge than if he had come out before getting used to it."

I have since received a letter from Sir Edmund Du Cane, strongly taking the view that the minimum term of three years' penal servitude should be resumed, adjusting it to the next preceding term of imprisonment, so that there should be a continually ascending scale of punishment, the two kinds being treated as stages of the same category, the latter ending in employment on public works. That is Sir Edmund Du Cane's view, and I think it will be conceded that his opinion has very great weight. He advocates a complete ascending scale of punishment and the resumption of the minimum term of three years, to follow an adjusted term of imprisonment preceding it. He says in that part of his pamphlet from which I have just read:—

"The shorter the term of punishment so that it effects its object the better—if it effects its main purpose, that of deterrence."

Sir Edmund Du Cane is surely wise in thinking that the shorter punishments are the better if they secure their object. The chief object of punishment is to deter from the repetition of crime. As to reformation of character, that should be carefully kept in view incidentally, but it is not the primary object of punishment, and prison is the worse place for education. Sir E. Du Cane's book was criticised in the public press as not taking account of a third object in punishment—the keeping of dangerous characters out of the way. This, how-

ever, I consider to be a most short-sighted and unprincipled consideration in dealing with criminals. It is not the right object of punishment to get dangerous characters out of sight. We have responsibilities both to them and to the country which we must recognise. The principal object being to deter from repetition of crime, it follows that the shorter the process in gaining it the better. The longer terms not only fail to secure, or even impede, the object, but they waste thousands of able-bodied men in useless durance, while their wives and children are kept at public expense in workhouses. There is, moreover, a fatal weakness in long punishments. There is an uncertainty about their practical meaning which tends to destroy their effect. Licences on leave and mitigations are inseparable. No sentence of penal servitude is carried out to the full as it is passed. In that way, therefore, its effect is diminished, both as a deterrent to the evil-doers themselves, and as a warning to others. What is wanted is a revision of sentences both of imprisonment and penal servitude. There is nothing now between two years' imprisonment and five years' penal servitude. The matter is one of great importance, because penal servitude, if dealt out carelessly, and on wrong principles, must cause very great public mischief. I hope the Lord Chancellor will be able to say that the Government intend to deal with the subject as early as possible.

THE LORD CHANCELLOR: My Lords, I am afraid I am not able to give as satisfactory an answer to the noble Lord as I could have wished. I do happen to know that my right hon. Friend the Home Secretary has had certain proposals submitted to him, but he has not yet brought them before his colleagues, and I should be very reluctant to anticipate any consequence which might ensue. The view of the Government on the matter must, therefore, rest in the future. I do not deny the importance of the subject, but at present I am not able to say the Government has any intention such as the noble Lord has indicated.

COOPER'S HILL COLLEGE.

QUESTION—OBSERVATIONS.

LORD NORTHBROOK: My Lords, I desire to ask the Secretary of State for

Lord Norton

India if it is proposed to offer a certain number of commissions in the Royal Engineers and the Royal Artillery to students at the Royal Engineering College at Cooper's Hill.

THE UNDER SECRETARY OF STATE FOR WAR (Lord HARRIS): Perhaps the noble Earl will allow me to reply to the question. It is the intention of Her Majesty's Government to offer 13 commissions if there were that number of cadets available and qualified. At present the matter is being discussed between the War Office and the India Office.

THE SECRETARY OF STATE FOR INDIA (Viscount CROSS): I only desire to supplement my noble Friend's answer by pointing out that the training for the year will begin in September next, and I hope the commissions which are offered will be an inducement to gentlemen who want to enter the Army to go to that most excellent institution at Cooper's Hill. It is an institution which I have had a great deal to do with and have examined very thoroughly, and I have satisfied myself that a more excellent education is not to be got anywhere. I think the greatest possible credit is due to Sir Alexander Taylor and all the members of his staff, who have worked so heartily together in producing such a very excellent result. I am glad the noble Earl has asked this question, in order that this opening for young men may be made publicly known, and also the offer of the War Office which I hope will be continued.

LORD SANDHURST: May I be allowed to ask whether the offer of Commissions will be continued?

*VISCOUNT CROSS: I certainly hope that the offer of Commissions will be continued from year to year. We have had rather more applications for India than we want. Generally, there is some little room in the College, and it makes a difference in regard to the College whether it is full or not.

*THE EARL OF MORLEY: I should like to know whether this proposal will diminish the number of cadets at Woolwich?

LORD HARRIS: I may say that there is certainly no intention of reducing the number of cadets in the Royal Military Academy at Woolwich. If the Royal Military Academy, being full, cannot

supply the number of officers required for those two services, I have no doubt the War Office would again apply to Cooper's Hill College. The noble Earl is no doubt aware that the question of difficulty at present is the age, as pupils entered Cooper's Hill College older than cadets entered the Royal Military Academy.

AFFAIRS IN ZULULAND—TREATMENT OF THE CHIEF USIBEPU.

QUESTION—OBSERVATIONS.

THE EARL OF KINGSTON: My Lords, I have to ask the Secretary of State for the Colonies if it is the case that the charge of being accessory to murder against the Zulu Chief Usibepu was dismissed after a hearing of several weeks; and, if so, by what law, native or otherwise, is the Chief still detained in custody, and what power has the Governor of Zululand to have the case reheard? I should like, my Lords, to read what was said on the subject in another place, on the 11th July, by the Under Secretary of State for the Colonies in answer to a question:—

"The Secretary of State has as yet only received an informal Report of the proceedings from the Governor, who has come to this country on leave of absence. The charge was one of being accessory to the murder at Umsabuywana. The Magistrate, after an investigation extending over several weeks, dismissed the charge. The Government is not altogether satisfied with the action of the Magistrate in dismissing the charge; and it is understood that the case has been referred back to the Resident Commissioner for his further consideration as Chief Magistrate. In the meantime, it is understood that Usibepu remains at Eshowe."

It appears to me, my Lords, that this man stands in danger of an inquiry a second time for the offence of which he was pronounced innocent by the Magistrate who, at great length, investigated the case. I desire to ask what power there is to have the case reheard?

*LORD KNUTSFORD: My Lords, I have not yet received official information as to the proceedings against Usibepu before the Magistrate. The proceedings were of a preliminary character, and, after an investigation of some weeks, the charge was dismissed. But proceedings of that kind are not of the same character as a proceeding in full Court, where an acquittal stands as an acquittal for ever, and the man can not be charged a second time. The whole

case was then very properly submitted by the Governor to the Attorney General, Sir Michael Gallwey, a gentleman of great experience and ability; and, as I understand, the case has, upon his advice, been referred back to the Resident Commissioner for his further consideration in his capacity of Chief Magistrate. I expect to receive further information very shortly. Usibepu is not, strictly speaking, retained in custody; but, in accordance with native law, he is not allowed to return to his location without the permission of the Resident Commissioner, and that permission has not been given. The dismissal by the Magistrate of the charge does not, as I am advised, preclude the institution of fresh proceedings. The noble Lord has asked under what law these further proceedings can take place. I should think the course which the Governor was advised to take would fall under his powers as supreme Chief of Zululand, even if not under the powers vested in him by the Royal Commission. I may also refer to a Natal Ordinance, No. 18 of 1845, which, by the Proclamation of 1887, has been declared to be law in Zululand. By the 51st section of that Ordinance, after a party accused has been discharged by a Magistrate on a preliminary proceeding, the Crown Prosecutor may apply for a warrant to re-apprehend the party accused, in order to stand his trial. I think that is an answer to the question which the noble Lord has asked.

LOCAL GOVERNMENT SCOTLAND BILL.

QUESTIONS.—OBSERVATIONS.

THE EARL OF CAMPERDOWN: My Lords, before the House adjourns I wish to ask a question of the noble Lord the Secretary for Scotland, of which I have given him private notice. The question is with reference to the Local Government of Scotland Bill, which your Lordships will on Thursday be asked to read a second time. My Lords, I wish for information on two points. It appears by the Bill that the number of Councillors for each county is to be fixed by the Secretary for Scotland, and I wish to ask the noble Lord whether he will lay on the Table a Paper, stating the number of County Councillors he proposes to appoint for each county? There is another matter

Lord Knutsford

which I think it is still more important we should have information about, and that is with regard to the number of service voters, as I believe that the number of service voters will greatly exceed the number of any other class of voters. It is very desirable your Lordships should have information on this point when you discuss the Bill.

THE MARQUESS OF LOTHIAN: My Lords, in answer to the first question which the noble Earl has put, the number of County Councillors for each county provided by the Bill to be appointed by the Secretary for Scotland has been settled, and a printed Paper giving the number has been circulated. I have given directions that the Papers showing those numbers shall be available in the Paper Office. If the noble Earl thinks it desirable that the Papers should be circulated with the other Parliamentary Papers I see no objection to that course being taken. With regard to the second question of the noble Earl, as to the service voters, I am afraid I cannot give so definite an answer. Such information as is asked for would take considerable time to prepare, and might also entail considerable expense. I am therefore not prepared to give a distinct answer at once, but I will, if possible, accede to the request of the noble Earl.

THE EARL OF CAMPERDOWN: Of course I do not wish to ask for anything that will entail great expense, but if anything even approximately full can be given us it would be valuable.

THE MARQUESS OF LOTHIAN: Does the noble Earl desire the information to be given in the form of Returns?

THE EARL OF CAMPERDOWN: I shall be glad to get it in any form that may be thought desirable.

AUDIT (ARMY AND NAVY ACCOUNTS) BILL. (No. 164.)

House in Committee (according to order); Bill reported without Amendment; and to be read 3^d on Thursday next.

House adjourned at Five o'clock, to Thursday next, a quarter past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 30th July, 1889.

THE DIVISION ON THE QUEEN'S MESSAGE.

SIR F. MAPPIN (York, W.R., Hallamshire): I wish to call attention to the fact that my name appears in the Division List issued with the votes to-day as having voted both with the "Ayes" and the "Noes." I voted with the "Noes."

MR. POWELL WILLIAMS (Birmingham, S.): The name of the right hon. Gentleman the Member for West Birmingham (Mr. J. Chamberlain) also appears in both Lists, while that of the hon. Member for West Islington (Mr. R. Chamberlain) does not appear in either. The name of the right hon. Member for West Birmingham should have appeared in the "Aye" List, and that of the hon. Member for West Islington in the "No" List.

*MR. SPEAKER: The Clerks will make the necessary corrections.

QUESTIONS.

—:—

VACCINATION IN WALES.

MR. ALFRED THOMAS (Glamorgan, E.): I beg to ask the President of the Local Government Board whether he is aware that there are no educational vaccination stations in any part of Wales, and that general practitioners, residing within the principality, who desire to attain certificates of competency in the art of vaccination, have to travel long distances in order to obtain them; and, whether he will take steps to remedy this grievance, and order that Cardiff should become the educational vaccination centre for South Wales and Monmouthshire?

*THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): I can only repeat the answer which I gave to a similar question put to me by the hon. Member for South Glamorgan (Mr. Arthur Williams) on July 27 last year, that there is in Wales no vaccination station at which certificates of qualification in vaccination can be obtained, and

the Local Government Board are not aware that any serious inconvenience has been occasioned thereby. The College of Physicians, the College of Surgeons, and the Society of Apothecaries now require such a certificate for every candidate for their diploma or licence, and hence most medical men now obtain their certificates before entering on practice. It is not usual to appoint examiners to grant these certificates in towns in which there is no school of medicine. If a medical school should be established in Wales, I should be prepared to consider the question of appointing a person who could give these certificates in Wales.

JUVENILE OFFENDERS.—CASE OF GEORGE HAYWARD.

MR. FULLER (Wilts, Westbury): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the case of George Hayward, a boy of 14 years of age, who was convicted at the Petty Sessions in Warminster, on the 6th July, for stealing a strap value one shilling, and was sentenced to 10 days' imprisonment prior to five years' detention in the Wilts Reformatory; whether he is aware that the previous charge against the character of the boy was for an offence committed when only seven years of age, and that since that time his general conduct has been good; and, whether he will take steps to mitigate the sentence, in consideration of the fact that the strap appears to have been thrown away, with no intent of stealing the same but probably for a practical joke?

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham, E.): Yes, Sir; my attention was called to this case more than a week ago by my hon. Friend the Secretary to the Local Government Board, and in consequence of his intervention I have made inquiries into the facts, which are as stated in the first and second paragraphs of the question. I have found no reason to suppose that the taking of the strap was a practical joke, but on the whole I have come to the conclusion that the case is not one for a reformatory school. I will, therefore, advise the remission of that part of the sentence.

THE ROYAL MAIL STEAM PACKET COMPANY.

MR. O'KEEFFE (Limerick): I beg to ask the President of the Board of Trade if the ships of the Royal Mail Steam Packet Company, carrying mails and passengers from this country to the West Indies, are totally unprovided with hospital accommodation; if ships of the same company carrying passengers and emigrants to Brazil and the River Plate are similarly unprovided for, though carrying from 400 to 600 Spanish and Portuguese emigrants, with whom English and Irish passengers come daily and hourly in contact, and calling at Rio de Janeiro in the height of the yellow fever season; whether, in the event of an epidemic breaking out, the unoccupied passengers' rooms are temporarily converted into hospitals, and if, failing this means of isolation, the only resource left is by hanging blankets, soaked in a solution of carbolic acid, round the patient; if this was the existing state of things when two men recently died of yellow fever on board the *Neva*, at the Motherbank Quarantine Station, Southampton; and, if it is in the power of the Government to enforce regulations for securing health on board passenger steamers?

THE PRESIDENT OF THE BOARD OF TRADE (Sir MICHAEL HICKS BEACH, Bristol, W.): The ships of the Royal Mail Steam Packet Company carrying passengers to the West Indies and South America from this country do not carry from the United Kingdom more than 50 passengers as defined by the Passenger Acts. They are, therefore, not passenger ships under those Acts, and no other ships are required by law to provide hospital accommodation. The Spanish and Portuguese passengers referred to are embarked abroad, and do not make the ships passenger ships under the Passenger Acts. Space is always provided on board the ships of the Royal Mail Steam Packet Company, which can be turned into hospitals in the event of an epidemic breaking out. The cabin where an infectious patient is lying is always surrounded by blankets steeped in a solution of carbolic acid or other powerful disinfectant. In the cases referred to on board the *Neva* the patients were removed to cabins surrounded in this manner. The Board of

Trade has no power to enforce regulations for securing health on board passenger steamers unless they are also passenger ships under the Passenger Acts.

IRELAND—LIGHT RAILWAY FOR COUNTY DOWN.

MR. MULHOLLAND (Londonderry, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been directed to a public meeting recently held in Portaferry, County Down, in support of a light railway from Newtownards to Portaferry; and whether, having regard to the desirability of assisting the development of the important fisheries at Ballyhalbert and Portavogie, and to the great want of railway accommodation in the district, he will recommend that this line should participate in the benefits of the Light Railways (Ireland) Bill?

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): In answer to my hon. Friend I have to say that copies of the Resolutions passed at the meeting mentioned were received by me and duly acknowledged. I pointed out in my reply that as the Light Railways (Ireland) Bill is general in its terms and does not deal with any particular line, its application to particular districts which may be decided to come under its provisions will be matter for consideration after the Bill becomes law. And the hon. Member will see I can hardly add anything to this in reply to his question.

PORTSTEWART FISHING HARBOUR.

MR. MULHOLLAND (Londonderry, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been called to the dangerous condition of the Portstewart Fishing Harbour, and to the numerous accidents which have occurred to the fishermen while endeavouring to enter it in stormy weather; and, whether he will direct a portion of the available balance of the Sea Fisheries (Ireland) Fund to be expended upon the necessary alterations?

MR. A. J. BALFOUR said that he had not yet had time to make inquiries.

THE LAND COMMISSION.

MR. M'CARTAN (Down, S.): I beg to ask the Chief Secretary to the Lord

Lieutenant of Ireland whether Mr. Hume Babington, of Armagh, has been appointed by the Land Commission as court valuer, to inspect the holdings in some cases in the neighbourhood of Downpatrick, in which appeals from the Sub-Commission have been heard and the decisions not yet given; whether he is aware that Mr. Babington is a land agent in the County of Armagh, and that he has frequently appeared before the Sub-Commissions in County Derry and County Antrim as valuer for the landlord, when his valuation as to rent was invariably considered very excessive; and, whether, considering that every alteration made by the Chief Commission at their last sitting at Downpatrick was to increase the rents fixed by the Sub-Commission, and the number of indignation meetings since held by the farmers to protest against these alterations, some court valuer, who has not been employed by the landlords of the district, will be appointed to inspect these holdings?

MR. A. J. BALFOUR: The Land Commissioners say that they cannot undertake to discuss matters connected with the adjudication of cases now pending before them.

DOCK AT BOMBAY.

ADMIRAL FIELD (Sussex, Eastbourne): I beg to ask the First Lord of the Admiralty whether the Lords Commissioners of the Admiralty have refused to carry out the arrangement arrived at with the Government of India last year for the construction of a suitable dock at Bombay, as admitted to be necessary for Her Majesty's ships on the Indian station; whether, seeing that the Government of India are willing to pay a moiety of the expense of construction, their Lordship will still persist in delaying the completion of this work; and, if so, will he explain the grounds for this change of policy; and, if, on the other hand, their Lordships still desire that the said dock should be completed, will he state whether the delay is caused by the refusal of the Treasury to grant the necessary funds for its completion.

THE FIRST LORD OF THE ADMIRALTY (Lord G. Hamilton, Middlesex, Ealing): The arrangement proposed as to the construction of the Bombay Dock

was that the Indian Government were to build the dock and the Admiralty to bear a moiety of the cost. This division of cost raised financial consideration in which the Treasury necessarily had a leading voice. The delay which has occurred in settling the question arises from the inability of the Treasury to treat this as an isolated question of finance, but rather as one which carries with it necessarily a review of the general contribution which India makes towards the maintenance of an Imperial Navy.

ADMIRAL FIELD: Will the noble Lord say whether there is any dry dock available?

LORD G. HAMILTON: No; there is not.

ADMIRAL FIELD: Then what will be done with a ship that meets with disaster?

The question was not answered.

IRELAND—MR. GILL AND MR. COX.

MR. ARTHUR WILLIAMS (Glamorgan, S.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland what has been the result of the inquiry into the circumstances under which the unreliable evidence was put forward by Police Constable Robinson on the trial of Mr. Gill and Mr. Cox at Drogheda?

MR. A. J. BALFOUR: I understand that in the opinion of the Magistrates the evidence was not sufficient to justify a conviction. I gather that in the opinion of the same Magistrates there was no ground for taking action against the constable. I will consider whether it will be proper to make a direct inquiry of the Magistrates on the matter.

MR. A. WILLIAMS: Do I understand that the right hon. Gentleman will make a direct inquiry of the presiding Magistrate as to the nature of the evidence?

MR. A. J. BALFOUR: A report has been received from the Magistrates, the substance of which I have given. I will consider how far it may be proper to make further inquiry.

MR. A. WILLIAMS: I beg to give notice that on the Vote for the Irish Constabulary I will draw attention to the way in which the policeman's evidence was tendered, tested, and subsequently rejected.

have felt it necessary to write the letter.

SIR J. SWINBURNE: Does the right hon. Gentleman maintain the position that no independent inquiry is necessary, in the face of the fact that we have one of the jury asserting, "I maintain that the jury was packed."

*MR. SPEAKER: Order, order!

DR. TANNER.

MR. SEXTON: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether Dr. Tanner, M.P., was yesterday, at Tipperary, sentenced by Mr. Vesey Fitzgerald and Mr. Brien to imprisonment with hard labour for a month, upon conviction for an assault not involving violence; whether the Magistrates refused to increase the sentence in order to allow of an appeal; whether the Press were excluded from the Court; and, if so, why; whether the Magistrates further sentenced Dr. Tanner to three months' imprisonment for alleged contempt of Court; and, whether they had legal power to inflict imprisonment for a longer period than one week in respect of contempt of Court?

MR. A. J. BALFOUR: I have not been able to obtain a reply to the third paragraph of the question, though I sent a telegram yesterday. It is true that the hon. Member referred to has been sentenced to imprisonment with hard labour for deliberately spitting at a County Inspector. He was not sentenced to three months' imprisonment for contempt of Court, but was ordered to find sureties, or, in default, to go to prison for three months. So far as I am aware, the action of the Magistrates was perfectly legal.

MR. SEXTON: With regard to the first paragraph of the question, I should like to ask the right hon. Gentleman whether he is aware that Dr. Tanner repudiated the charge made against him, and said that it gave him more pain than 20 years' imprisonment; and whether under the circumstances he approves the action of the Magistrates in refusing my hon. Friend an opportunity to have the facts re-heard. I would ask, further, whether the Magistrates had power to require bail for contempt of Court or to inflict more than a week's imprisonment?

Mr. A. J. Balfour

MR. A. J. BALFOUR: It is not my duty to review the decision of the Court. As regards the first question, I am not aware whether the charge was true or untrue. Dr. Tanner declared that he was not guilty of the offence with which he was charged, but brought no evidence to prove that fact. In regard to the second question, I may point out that what was done was to bind the hon. Member over for his good behaviour, and in default of finding sureties he was to be imprisoned for three months.

MR. SEXTON: What I ask is whether the Magistrates had only power to inflict a week's imprisonment for contempt of Court, and had no power to require bail?

MR. A. J. BALFOUR: I am not able to say whether Dr. Tanner's offence was contempt of Court and nothing else. If the action of the Magistrates was illegal, there is more than one way of dealing with it. It is not for me to review the decision of the Court.

MR. JOHNSTON: Did not the hon. Member tell the Chairman that he looked upon him as a criminal himself?

No answer was given.

MR. SEXTON: I will repeat the legal question on Thursday.

TOWN COUNCILLORS ELECTION (SCOTLAND) BILL.

MR. ESSLEMONT (Aberdeen, E.): I beg to ask the Lord Advocate if he is aware that the Town Councillors Election (Scotland) Bill is still being persistently opposed by the hon. Member for North Camberwell (Mr. J. R. Kelly); and whether, in the circumstances, the Government is able to give any hope that the Bill can be proceeded with this Session?

*THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): I am aware that the Motion for the Second Reading of this Bill has been repeatedly objected to when made after 12 o'clock. I regret that the hon. Gentleman has failed to obtain an opportunity for advancing this measure; but at this period of the Session, it is, I fear, impossible to hope that it can be proceeded with.

IRELAND.—STEAM TRAWLING.

MR. MURPHY (Dublin, St. Patrick's): I beg to ask the Chief Secretary to the Lord Lieutenant of

Ireland whether any Report has been made by the Inspectors of Irish Fisheries on the subject of steam trawling in Ireland; and, if so, whether he will give Members an opportunity of considering it before proceeding further with the Steam Trawling (Ireland) Bill?

MR. A. J. BALFOUR: The Inspectors of Irish Fisheries do not appear to have made any specific Report on the subject of steam trawling. It is true that they have on occasions made incidental references to it. But these references do not bear on the scope of the Bill now before the House.

THE ULSTER AND TYRONE NAVIGATION ACT.

MR. JORDAN (Clare, W.): I beg to ask the Secretary to the Treasury whether, in accordance with the provisions of "The Ulster and Tyrone Navigation Act, 1888," the agreement of transfer has been ratified; whether the Company has commenced to repair the Ulster and Tyrone Canals; and, if so, to what extent; whether the Treasury has yet paid over to the Company any money; and whether the Treasury has negotiated or is in process of negotiating a loan to the Company?

THE SECRETARY TO THE TREASURY (Mr. W. L. JACKSON, Leeds, N.): My answer to all the questions of the hon. Member is in the affirmative except the last.

DERRY GAOL.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that Mr. Conybeare, and other prisoners in Derry Gaol, complained on Saturday evening last that their eyes were weakened and influenced by the glare of the whitewash on the walls of their cells; and whether, having regard to the cases of Messrs. Wilfred Blunt and Cox, M.P., whose sight has been impaired by imprisonment under similar circumstances, he will be prepared to direct the cells of these prisoners to be covered with a wash of blue or pink instead of the ordinary whitewash?

MR. A. J. BALFOUR: I telegraphed yesterday when a similar question was put, but I have not yet received a Report. It will require local reference.

SIR W. FOSTER (Derby, Ilkeston): Has the right hon. Gentleman received

the information which he promised to obtain as to the state of the health of the hon. Member for Camborne?

MR. A. J. BALFOUR: Yes, I have received information which, I think, does not bear out the fears expressed by hon. Gentlemen opposite; but I will have the matter carefully watched.

FATHER M'FADDEN.

MR. MAC NEILL: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether it is the fact that Father M'Fadden and the other persons against whom various charges in reference to District Inspector Martin's death on the 3rd February have been brought by the Government, will not be tried till the 16th October; whether they will be tried at Maryborough, where, at the last Assizes, the Crown prosecutors were accused of packing juries to secure convictions; and, whether, having regard to the fact that these trials will take place at a time when Parliament will not be sitting, he will be prepared to give the House an assurance that the juries will not be exclusively composed of persons differing in religious belief and political sympathies from the accused?

MR. A. J. BALFOUR: I understand that it is the case that with the consent of the counsel for the accused, the trial of the persons referred to has been postponed till the 17th of October. As I have already stated, no juror has been, or will be, ordered to stand by on the ground of religious belief.

MR. SEXTON: May I ask whether, considering the great length of time that has elapsed since the case was first commenced, and that many of the prisoners are poor, the right hon. Gentleman will consider whether bail cannot be extended to them?

MR. A. J. BALFOUR: I will make inquiries on the matter, but certainly I cannot give an answer offhand. I should imagine no change can be made, but I will inquire.

MEDICAL OFFICERS' SALARIES.

MR. WARDLE (Derbyshire, S.): I beg to ask the President of the Local Government Board whether Local Sanitary Authorities having been recouped a moiety of the salaries of their medical officers up to 29th September, 1888, intends that the moiety of such salaries

for the half-year ending 25th March, 1889, is to be paid by County Councils out of the Exchequer contribution, which contribution has been considered as commencing from 1st April, 1889, only, and estimated by the County Councils as an asset available for the current year?

*MR. RITCHIE: This is a question which has been put to me several times. The last time was the 8th of the present month and by the hon. Member for Swansen (Mr. Dillwyn). It was answered by my hon. Friend the Secretary to the Local Government Board. I must refer the hon. Member to the reply then given.

LOCAL GOVERNMENT—

THE EXCHEQUER CONTRIBUTION.

MR. WARDLE: I beg to ask the President of the Local Government Board when he expects the Commissioners to make their awards, in those cases referred to them, where County Councils and Councils of county boroughs have failed to agree as to the apportionment of the Exchequer contribution?

*MR. RITCHIE: I am informed that in the case of 23 out of the 27 counties a settlement has been arrived at between the County Councils and the Councils of the county boroughs. The remaining four cases were to be considered by the Commissioners to-day.

IRELAND—FAIR RENTS.

MR. M'CARTAN: I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland, with reference to the proposed Bill for accelerating the fixing of fair rents, whether it is his intention to make such provision as will compel the landlords to submit to the arbitration of two lay Commissioners; whether the tenants will have the selection of one of these arbitrators; whether he will also provide that there will be no appeal from the rents so fixed except on a point of law; and, when he will make a statement on the subject of the proposed Bill?

*MR. A. J. BALFOUR: In answer to the first paragraph, I have to say that there will be no compulsion in the Bill either as against landlords or as against tenants. The lay Commissioners will be selected by the Land Commission. There will be appeal as in the case of

rents fixed in the ordinary way before a Sub-Commission Court. The Bill will be shortly introduced, and, if necessary, a statement will be made upon its introduction. It is, however, extremely simple in its character, and is substantially identical with a proposal placed on the Paper in connection with a measure brought forward by the Government last year.

MR. MAC NEILL: Will the right hon. Gentleman make any provision for expediting appeals?

*MR. A. J. BALFOUR: I should be glad to give effect to any measure for expediting appeals, but it is impossible to find time this Session for a measure dealing with the Land Courts.

DONAGHADEE HARBOUR.

MR. JOHNSTON (Belfast, S.): I beg to ask the Secretary to the Treasury whether he is aware that a Memorial was forwarded, on the 18th January 1889, to the Commissioners of Public Works in Ireland, signed by Mr. De la Cherois, D.L., J.P., the Lord of the Manor, and by 103 other persons, representing that the present state of the Harbour of Donaghadee, County Down, rendered it dangerous to vessels entering it; whether he is aware that last winter a vessel named the *William Bell* was wrecked inside the harbour by being driven on a bank of silt and stones in the centre of the harbour; and, whether, as this is the only harbour of refuge between Belfast Lough and Carlingford Lough, a distance of nearly 50 miles, the Government will endeavour to have it made a safe place of refuge for vessels by promoting such works, by dredging or otherwise, as will in the interest of the public render it available for vessels to enter and leave safely?

MR. JACKSON: I am informed that the harbour is not in a dangerous state.

In reply to further questions by Mr. JOHNSTON and Mr. FLYNN (Cork, N.),

MR. JACKSON said: I have answered the question on the Paper. If any further information is desired notice must be given. As far as my information goes, the harbour is not in the dangerous state which has been represented.

MR. FLYNN: Is the hon. Gentleman aware that a Memorial has been sent by the inhabitants asking for an inspec-

Mr. Wardle

tion of the harbour on account of its dangerous state?

MR. JOHNSTON: And is it not the fact that the *William Bell* was wrecked inside the harbour last winter?

MR. JACKSON: I have heard something about a ship having been wrecked in the harbour, but I believe that the wreck had nothing to do with the condition of the harbour. If the hon. Member is anxious for further inquiries, I have no objection to make them.

THE DUBLIN RATES.

MR. CLANCY (Dublin County, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether his attention has been drawn to the following statement, laid on 27th June before the South Dublin Board of Guardians by Mr. M'Donogh, a member of that body—

"That the bulk of the rates are paid by Catholics, four-fifths of the inmates are Catholics, and yet out of the twenty doctors employed by the Board and drawing salaries to the amount of £3,166 per annum, two only are Catholic. The majority is Protestant and Conservative, because Catholics by social position, intelligence, and rating qualifications entitled to the Commission of the peace are not appointed, and Conservative magistrates, rated much lower, are sent to the Board as *ex-officio* Guardians;"

and, whether the several statements in the foregoing are true; and, if so, whether he will recommend the Lord Chancellor of Ireland to take some steps to rectify the inequality complained of?

MR. A. J. BALFOUR: The statement mentioned appears to have been made by Mr. M'Donogh. The Local Government Board have no information as to the proportion of the rates paid by Roman Catholics. The proportion of the workhouse inmates of that persuasion appears to be substantially as stated in the question. I am not aware whether the majority is due to the circumstances alleged; but the Lord Chancellor of Ireland is always anxious to place on the Commission of the Peace any properly-qualified Roman Catholic who may be recommended to him by the Lord Lieutenant of the county.

HOLYWOOD PIER.

MR. M'CARTAN: I beg to ask the President of the Board of Trade whether he is aware that Messrs. Alexander Young and James Ray, of London, were appointed under "The Holywood Pier

and Quay Order, 1882," as undertakers for the maintenance and regulation of the pier and works at Holywood, County Down; whether the undertakers were obliged (under a penalty of £10 a month for the omission) to exhibit lights on the pier from sunset to sunrise; whether the pier and works have been allowed to fall into ruin, and are now in a useless and dangerous state; and, whether steps will be taken to restore them to the same state in which they were when handed over to the undertakers appointed by the Order of 1882?

SIR M. HICKS BEACH: I am in communication with the Belfast Harbour Commissioners on this subject, and will let the hon. Member know the result of the correspondence.

GOVERNMENT OFFICIALS AND ORANGE DEMONSTRATIONS.

MR. CLANCY: I beg to ask the Postmaster General whether his attention has been drawn to the fact that a person named L. F. S. Maberly, an official in the Dublin Post Office, is represented in the public Press to have been present on the platform at the Orange demonstration in the Rotunda on the 12th instant, and to have otherwise participated in the proceedings of that meeting; and whether this official is the same who on a previous occasion had been rebuked by his official superiors for the display of political principles; and, if so, whether he will take any notice of Mr. Maberly's recent conduct in public, or, in case he decides to allow Mr. Maberly's conduct to pass without notice, he would allow similar liberty to those officials of the Post Office who may desire to attend Nationalist meetings?

THE POSTMASTER GENERAL (MR. RAIKES, University of Cambridge): Mr. Maberly, who was present at the Orange demonstration of the 12th, is the same person who on a former occasion wrote a letter to the newspapers which, in the opinion of Mr. Fawcett, when Postmaster General, he had better not have written; but I am not aware that he was reprimanded for so doing. I am not prepared to inhibit officers of the Post Office from mere attendance at meetings, whether political or otherwise, which are not forbidden by law, though the regulations of the Department enjoin them to maintain a certain reserve.

in political matters, and not to put themselves forward on one side or the other. I am informed that Mr. Maberly took no part in the proceedings beyond attending the meeting.

THE DUBLIN POST OFFICE.

Mr. CLANCY: I beg to ask the Postmaster General if he will state what are the rules regulating the promotion of officials in the Dublin Post Office?

Mr. RAIKES: In Dublin the rules regulating the promotion of Post Office servants are the same as elsewhere in the United Kingdom. In the higher classes promotion is governed by superior fitness; in others, by seniority, combined with full competence and good conduct.

MACCLESFIELD TRUSTEE SAVINGS BANK.

Mr. BRADLAUGH (Northampton): I beg to ask the Attorney General whether his attention has been drawn to the interim report on the affairs of the Macclesfield Trustee Savings Bank, so far as it relates to several persons specifically named as being on the Commission of the Peace for the Borough of Macclesfield; and, whether he will communicate with the Lord Chancellor thereon?

THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): My attention has been called to the Report, but I must refer the hon. Gentleman to the reply given by the Chancellor of the Exchequer on Friday. The matter is engaging the attention of the Lord Chancellor.

SHALDON SCHOOL BOARD.

Mr. SEALE HAYNE (Devon, Ashburton): I beg to ask the Vice President of the Committee of Council on Education whether the School Board for Shaldon in Devonshire, was nominated by the Education Department in 1879; whether since that date there has been any election of members to the said School Board; and, whether the inhabitants of that place are to be deprived for an indefinite period of their right of electing their School Board?

THE VICE PRESIDENT OF THE COUNCIL (Sir W. HART DYKE, Kent,

Mr. Raikes

Dartford): The School Board for Shaldon, Devonshire, was nominated by the Education Department in 1879, and there has been no subsequent election by the ratepayers. An application from the inhabitants for the election of a new Board is under consideration, and has, in conformity with the ordinary practice, been referred to the Inspector for his opinion. The school under the Board is reported to be excellent.

NAVY—COAL USED ON MEASURED MILE TRIALS.

Mr. MUNDELLA (Sheffield, Brightside): I beg to ask the First Lord of the Admiralty whether, in the trials of speed of Her Majesty's ships of war, over the measured mile, care is taken to use a uniform quality of fuel so as to secure an accurate comparison in results; what was the description of coal used in the recent trial of the *Trafalgar*; for how long has it been used by the Admiralty for such purposes; and, what is the ascertained evaporative power of such coal?

LORD G. HAMILTON: Fuel of a uniform quality is always used in carrying out the speed trials of Her Majesty's ships. The coal used on the occasion of the *Trafalgar's* trials was Harris's deep navigation (Welsh) coal. This fuel has been used by the Admiralty since 1883 for this purpose. Its evaporative power is about 10½ lb. of water per 1 lb. of coal.

MALVERN POOR LAW UNION.

Mr. HASTINGS (Worcester, E.): I beg to ask the President of the Local Government Board when he expects to be in a position to reply to a Memorial of the inhabitants of Malvern, forwarded to the Office of the Local Government Board more than twelve months since, in reference to the formation of a Malvern Poor Law Union?

Mr. RITCHIE: The memorial proposed the constitution of a union which would include parishes in two counties, and the consideration of the question has been deferred until the recommendations of the Boundary Commissioners have been considered by the County Councils interested, and they have made such representations on the subject to the Local Government Board as they deem necessary.

PARLIAMENTARY PAPERS.

MR. ARTHUR O'CONNOR (Donegal, E.): I beg to ask the Chief Secretary for Ireland by whose instructions and on whose authority, and with what purpose, there has been added to Parliamentary Paper No. 211 of the present Session (being a Return of civil bills in ejectment, and writs for the recovery of land in Ireland) an appendix containing extraneous matter not moved for, and not included in the Order of the House of the 25th February, or in the Order of the House of the 9th May, upon which the Return was presented?

MR. A. J. BALFOUR: The appendix in question was added by direction of the Irish Government for the information of the House, as it was found that without the further information the Return might be misleading. The Return, as ordered, gave only civil bills entered and writs issued during certain years. The appendix shows the actual evictions during those years.

MR. A. O'CONNOR: As a point of order, may I ask if it is competent for any Member of the Government, after the House has ordered a limited Return for a special purpose, to add to that Return, of his own Motion, matter entirely extraneous to the Motion passed by the House, and giving an entirely different character to the Return?

***MR. SPEAKER**: I have no hesitation in saying that such a proceeding is irregular.

ORDER OF BUSINESS.

SIR W. HARCOURT (Derby): I wish to ask the right hon. Gentleman the First Lord of the Treasury if he can say what business will be taken on the ensuing days of this week after the Royal Grants Bill? I presume that the Royal Grants Bill will be the first Order.

***THE FIRST LORD OF THE TREASURY** (Mr. W. H. SMITH, Strand, Westminster): I will endeavour, as far as I can, to give an answer to the right hon. Gentleman. Of course, he is aware that at this period of the Session it is difficult to say definitely what business the Government will ask the House to take; but after the Report of the Royal Grants Resolution to-night we propose to go on with the

Light Railways (Ireland) Bill, the Scotch Universities Bill, and I trust that we shall be able to reach the Lunacy Acts Amendment Bill. I believe there is a strong desire on the part of hon. Members to dispose of that measure. To-morrow the House will, I trust, read the Royal Grants Bill a second time, and the Government then hope to proceed with the other business as it stands on the Paper. On Thursday I propose to follow the same course, taking Supply (Class 3) after the Orders of the Day either on Thursday or Friday.

SIR W. HARCOURT: I should like to know when the right hon. Gentleman proposes to take the Tithes Bill, and to proceed with the Motion for the discharge of the Order for the Second Reading of the Sugar Bounties Bill?

***MR. W. H. SMITH**: I can fix no date for the Motion relating to the Sugar Bounties Bill. I look upon that as a measure which is not very urgent.

SIR W. HARCOURT: I mean its funeral.

***MR. W. H. SMITH**: I am afraid I cannot admit that the funeral of a measure is very urgent. The Bill may be an interesting object to right hon. Gentlemen opposite, and no doubt it is also an interesting object to the Government; but we prefer to press forward business which will require the serious attention of the House, and which must be dealt with in another place. I propose to take the Education Estimates, if possible, on Monday next, and the Irish Estimates on Tuesday, the Constabulary Vote being taken first. I trust it may be possible to deal with the Tithe Rent Charge Bill on Thursday in next week.

IRISH SOCIETY AND CITY COMPANIES
(IRISH ESTATES) [INQUIRY NOT COMPLETED].

Report from the Select Committee, with Minutes of Evidence and an Appendix, brought up, and read; Report to lie upon the Table, and to be printed. [No. 290.]

SMALL DEBTS (SCOTLAND) BILL.
(No. 286.)

Lords Amendments to be considered forthwith; considered, and agreed to.

MESSAGE FROM THE LORDS.

That they have agreed to Bribery Public Bodies and Officers under the Crown Prevention Bill, Trust Funds Investment Bill.

ORDERS OF THE DAY.

THE ROYAL GRANTS.

MESSAGES FROM HER MAJESTY
PRINCE ALBERT VICTOR OF VALES
AND PRINCESS LOUISE VICTORIA OF
VALES, AND OTHERS.

Resolution reported.

"That in order to prevent the necessity for repeated applications to Parliament on behalf of the Royal Family, and to establish the principle that the provision for children should hereafter be made out of Grants adequate for that purpose which have been assigned to their parents, it is expedient to grant to Her Majesty out of the Consolidated Fund, an annual sum, not exceeding £60,000, to continue until six months after the demise of Her Majesty, and to be applied for the benefit of the children of Her Royal Highness Albert Edward Prince of Wales."

Motion made, and Question proposed.

"That the House doth agree with the Committee in the said Resolution."

Mr. BRADLAUGH Northampton : I do not intend to trespass for many minutes on the time of the House, but there were statements made last night by the right hon. and learned Member for Bury Sir H. James, and by the Chancellor of the Exchequer, which require one word of reply from me. In the rather long speech with which I felt it my duty to trouble the House, I stated some points of law and fact which seemed to me beyond the possibility of contradiction. Of course, I do not venture to put my opinion upon legal matters against that of so high an authority as the right hon. Member for Bury. But there was an explicit contradiction given to me by the right hon. Gentleman last night. Answering a passage of mine that William III. surrendered nothing when he came to this country, because he had nothing to surrender, the right hon. and learned Gentleman said that the moment the Convention invited William to accept the Crown, and William III. so accepted, the whole of the Hereditary Revenues and Crown Lands passed to that Monarch just as they had been held by

William's predecessor. Upon the matter of law I will not take up the time of the House, but as to the question of right, I must trouble the House with a reference to the Journals. It is quite clear from the Journals of the House that these Crown Lands were granted to William III. by an express Vote of the House of Commons. And what is more remarkable, the Journals and the Statute Book show that the Parliament vacated, at the very period spoken of by the right hon. and learned Gentleman, grants of land made since February 13, 1688, by Charles II. and James II. What is still more important, in the Act 1 Anne, which restricted the right of the Sovereign to make Grants, an expression is used in the fifth section, to the effect that the necessary expenses of supporting the Crown had been formerly defrayed on Land Revenues, but that these revenues had been impaired by the Grants of different Sovereigns. The Crown Lands are in no sense an endowment belonging to the person of the Crown, but a part of the Civil Revenues of the country, and there is no pretence whatever of personal property in them. The Chancellor of the Exchequer has also said in the case of George I. and George II., of whom I also said that they surrendered nothing, that they kept and used these revenues. But there was a specific Grant by the Vote of the House of Commons, entered in the Journals of the House in each case endorsed by Act of Parliament before the possession of "keeping and using" for life as part of the Civil Revenues of the country came to either of these two Monarchs. The right hon. Member for West Birmingham (Mr. J. Chamberlain) has doubted the accuracy of my figures, and I also understand that the Chancellor of the Exchequer expressed a similar doubt; but neither of those right hon. Gentlemen has ventured to challenge the accuracy of the figures, although it should have been easy to do so, supposing I had made a mistake. It is true that the House has been placed in possession of a fantastic balance-sheet by the noble Lord the Member for South Paffington Lord R. Churchill; but I do not think it is quite fair on the part of the Government and their supporters to attribute inaccuracy as to figures, fact and law, and yet refrain

from putting matters straight when it was so very easy to do so. I further take this opportunity of protesting, even in the absence of the right hon. Member for West Birmingham, against language used by that right hon. Gentleman the previous evening, which seemed to me insulting in the highest degree. As one of the Members for Northampton I have been charged by the right hon. Member with occupying the same position in relation to English politics that Nihilists occupy in relation to Russian politics. I could understand such language being used outside the House by reckless men, and I might even be disposed to regard such an observation with amusement if it came from the jocular lips of the noble Lord the Member for Paddington, as no one believes his denunciations to be serious. When the noble Lord talks blood and thunder we know that he means it kindly and that there is nothing behind; but I take leave to say to the right hon. Member for West Birmingham that his charge is as far from the truth as it is possible to be, and I am content to leave my Parliamentary conduct to the judgment of the House.

MR. STOREY (Sunderland): There was an honourable understanding in this part of the House that if we were allowed ample time to state our views in the early stage of this matter the formal stages of the Bill would not be violently opposed. Not only have there been two nights allotted to the discussion of the Amendment which emanated from below the Gangway, but there has also been one night during which the Front Opposition Bench have been able to develop its own peculiar views on the subject. I would, therefore, although my view of the matter is as strong as it ever was, content myself by simply saying "No" to the Motion, reserving to myself the right when the Bill is before the House to resist it on every occasion on which I have the opportunity.

Question put, and agreed to.

Bill ordered to be brought in by Mr. Courtney, Mr. William Henry Smith, Mr. Chancellor of the Exchequer, Mr. Secretary Matthews, and Mr. Jackson.

PRINCE OF WALES'S CHILDREN BILL.

"To make provision for the Support and Maintenance of the Children of His

Royal Highness Albert Edward, Prince of Wales," presented accordingly, and read the first time; to be read a second time To-morrow, and to be printed. [Bill 358.]

LIGHT RAILWAYS (IRELAND)

[GRANT, &c.]

Resolution reported,

"That it is expedient to make a free Grant, not exceeding the sum of £600,000, or an annual payment, out of moneys to be provided by Parliament, in aid of the construction of Light Railways in Ireland; to authorise the Treasury to give a guarantee, not exceeding the sum of £20,000 per annum, on the capital of such Light Railways, and to make an immediate payment of any guarantee for which they would be subsequently liable; and to authorise the payment of the expenses of working any line so far as they are not paid out of the receipts."

Resolution agreed to.

LIGHT RAILWAYS (IRELAND) BILL.

(No. 261.)

Order for Committee read.

Motion made, and Question proposed,

"That the Order for Committee be discharged, and that the Bill be committed to the Standing Committee on Trade, &c."—(Mr. Arthur Balfour.)

MR. STOREY: I did not understand that this proposal would be made to-night, or I might have spent a little more time in discussing other matters. I did hear the Chief Secretary say the other day that he proposed to move the discharge of the Order, in order that the Bill might be sent to the Grand Committee, but to that course a considerable number of hon. Members on this side of the House entertain strong objection; and I did hope that as we have now by the magnanimous course we have pursued provided time for the Government this afternoon, they would at once have proceeded to consider this Bill in Committee of the Whole House. That is what we think ought to be done in the case of a Bill of this nature. It is not the kind of measure which ought to be sent to a Grand Committee, because it deals with large sums of public money, which it is deliberately proposed to give away, and it raises questions which are seriously contested by a considerable section of the House. Everybody knows that the Bill proposes to hand over £600,000 to the Lord Lieutenant of Ireland, the Board of Works, and the

Treasury, for the purpose of expending that money in Ireland—where and how we know not.

*MR. SPEAKER: I must remind the hon. Gentleman that the only Question before the House is whether the Order for the committal of the Bill shall be discharged, and the Bill referred to the Grand Committee on Trade.

MR. STOREY: I bow to your ruling, Sir. I will only say that I think it has always been the practice of this House, whenever a Bill of a contentious character, or raising large questions of public policy, has been introduced to consider it in Committee of the Whole House, and not to refer it to a Grand Committee. If the Government persist in their Motion, I shall certainly take the liberty of resisting it.

*THE FIRST LORD OF THE TREASURY (MR. W. H. SMITH, Strand, Westminster): Notice was given of this Motion some time ago, and no serious objection was taken at the time, provided hon. Gentlemen interested and Irish Members were added to the Grand Committee by the Committee of Selection for the purpose of considering the Bill. The principle of the Bill has been affirmed by the House, and it is such a measure as can be more usefully considered by a Standing Committee than by a Committee of the Whole House. I think the course proposed to be taken is not only in accord with the practice of the House, but with the feeling of hon. Members who desire that the question should be dealt with fully and fairly.

*MR. W. P. SINCLAIR (Falkirk Burghs): I think that the experience of those who have served on the Grand Committees would bear out the admirable nature of those tribunals for dealing with the details of a Measure of this kind. The hon. Member for Sunderland (Mr. Storey) says that the Bill is of a contentious character, and would not have been referred in former times to a Committee upstairs. No doubt that was so formerly, but at that time Standing Committees had not been instituted.

MR. COSSHAM (Bristol, E.): I am certainly of opinion that we ought not to part with any portion of our control over the expenditure of the public money. This Bill involves a very large expenditure, and therefore I think that the details of the measure ought to be

considered by a Committee of the Whole House. If the Government persist with the Motion I shall vote with my hon. Friend the Member for Sunderland.

MR. SEXTON (Belfast, W.): Can the Government give an assurance on the part of the Committee of Selection that steps will be taken to secure that among the 15 additional Members a reasonable number of Irish Members connected with the districts affected by the Bill will be included?

THE PRESIDENT OF THE BOARD OF TRADE (SIR M. HICKS BEACH, Bristol, W.): I think I can speak with some experience on that point, having had to take charge of several Bills which have been referred to Grand Committees. The Government have no right, nor have they ever attempted, to interfere with the Committee of Selection in the choice of the 15 Members who are to be added to the Grand Committees for the consideration of any particular Bill. I think that I may appeal with some confidence to hon. Members who have served on the Committee of Selection whether in all cases the Committee have not exercised their power of adding Members with great care and to the satisfaction of all concerned? I have no doubt that they will pursue the same course now.

MR. CRAIG (Newcastle-upon-Tyne): When do the Government propose that the Grand Committee should meet?

SIR M. HICKS BEACH: It will meet as soon as the 15 Members have been added, and this will depend on the Committee of Selection.

MR. WHITBREAD (Bedford): As soon as the order is given by the House the Committee of Selection will be prepared to act.

The House divided.—Ayes 231; Noes 60.—(Div. List, No. 262.)

MR. O'DOHERTY (Donegal, N.): I beg to move the Instruction which stands in my name. The effect of its adoption would be to enable the promoters of a light railway in certain cases to save a large sum of money by the purchase or hire of steamers in cases where, by reason of intervening arms of the sea, the length of the line and the cost of the construction would be excessive. Take, for instance, the case of Loch Swilly. A railway is projected from Gweedore to Londonderry, and

Mr. Storey

between these two places is Loch Swilly, which runs in 30 miles from the Atlantic. About eight or nine miles up the loch is exceedingly calm, almost like an inland lake, and I think it would be infinitely better to enable the promoters, in cases where they satisfy the Government they can make a reasonable arrangement, to come to some terms for the use of steamers to carry their traffic across the lake instead of running their line all round the coast. I hope, under the circumstances, the Chief Secretary will accept the Instruction which stands in my name.

Motion made, and Question proposed,

"That it be an Instruction to the said Committee that they have power to insert Clauses in the said Bill enabling the promoters of a Light Railway in proper cases to use their capital in construction of piers and in the purchase or hire of proper steamers in cases where otherwise, by reason of intervening arms of the sea, the length of the line and the cost of construction would be excessive or the lines of railway might be required."—(*Mr. O'Doherty.*)

THE CHIEF SECRETARY FOR IRELAND (Mr. A. J. BALFOUR, Manchester, E.): I take it that the object of the hon. Member is to enable the use in connection with the new lines of steamers for a short route of sea transit with a view of rendering unnecessary the construction of a long length of railway, and I understand that the hon. Member is desirous of enabling the Railway Company to have facilities for making such arrangements. I imagine there would be very few cases in which an opportunity would arise for doing this, but on behalf of the Government I am quite prepared to accept the Instruction.

Question put, and agreed to.

*MR. SPEAKER: As to the Instructions standing in the name of the Member for North Cork, I rule that they are out of order, inasmuch as it would not be necessary to give the Committee such Instructions in a matter which they have already power to deal with.

UNIVERSITIES (SCOTLAND) BILL. (No. 307).

Further proceedings on consideration as amended.

SIR GEORGE TREVELYAN (Glasgow, Bridgeton): In Clause 16

it is indicated that Dundee College shall form part of St. Andrew's University, but these words are omitted from Clause 15, and it might be construed from the omission that the affiliation of colleges with Glasgow or Edinburgh University is intended to be of a weaker and looser character than that of St. Andrew's and Dundee. Therefore I move the Amendment which stands in my name.

Amendment proposed, in Clause 15, page 14, line 14, after the word "them," to insert the words "and by making such colleges form part of such Universities."—(*Sir George Trevelyan.*)

THE LORD ADVOCATE (Mr. J. P. B. ROBERTSON, Bute): The right hon. Gentleman is quite right in the inferences he draws from the insertion of these special words in Clause 16. In that case Dundee is specially marked out for a particular kind of affiliation. The matter was very carefully considered before the words were inserted, but I do not think it would be well to apply the same principle to the other colleges and Universities. On the contrary, I hold that our general object would be better served by leaving the clause as it now stands.

SIR GEORGE TREVELYAN: I do not press the Amendment.

Amendment, by leave, withdrawn.

SIR GEORGE TREVELYAN: My next Amendment refers to a much more serious matter, and I shall be obliged to press it unless the Lord Advocate shows me good reasons against it. Of course, my object—and the object of those who think with me—in regard to the affiliation of colleges, is to make these colleges an integral part of the University, and to make their members members of the University in every sense, both educational and sentimental. Now, I should like to know from the Lord Advocate whether the students in an affiliated college would have the privileges of students at present in the University, whether they would be admitted to their associations, whether they would be able to take part in the election of the Rector and the Students' Representative Council, whether they would have entrance to the University Libraries and Museums as a matter of right, and

*MR. SPEAKER: The right hon. Gentleman has exhausted his right to speak.

Question put, and negatived.

Clause 16.

MR. HUNTER: In the absence of my hon. Friend the Member for Dundee (Mr. Firth) I beg to move the Amendment standing on the Paper in his name, that is to say, to leave out the word "conjoint" in Clause 16. I have never been able to understand what is meant by the word in this connection, and it is objected to by the College of Dundee under some apprehension that it will give rise to erroneous ideas with respect to regulations proposed for the colleges.

Amendment proposed, in Clause 16, page 15, line 29, to leave out the word "conjoint."

Question proposed, "That the word proposed to be left out stand part of the Question."

DR. FARQUHARSON (Aberdeenshire, W.): I sincerely hope the Lord Advocate will stand firmly by the friendly arrangement which he accepted in Committee. It was agreed at that time that an arrangement of this kind would prevent any friction in the future. As the case now stands the combination between St. Andrew's and Dundee would make an excellent University, and I do not think there is much prospect of Dundee standing alone.

*SIR L. PLAYFAIR: I hope the Commissioners will be allowed a free hand in drawing up a conjoint scheme. The University of St. Andrew's is not a thoroughly equipped school of medicine, but the College of Dundee will, I hope, become one. The University of St. Andrew's has even now a Chair of Medicine or Physiology, one of Chemistry and one of Natural History. It really is an extremely active small University in regard to some of these subjects of teaching, and in regard to natural history there is really no University in the country which is more active in the work it performs. I think that the interests of the new college should not alone be considered, but that the Commissioners should have a free hand in making a conjoint scheme instead of allowing one institution to be the rival of the other.

MR. C. S. PARKER (Perth): I hope the Lord Advocate will put a word or two into the Bill to explain what the arrangement is. I do not think the simple word "conjoint" conveys a great deal in itself.

MR. J. P. B. ROBERTSON: The clause, as it stood without the word "conjoint," rather suggested that the object of the affiliation of the College of Dundee was to furnish an equipped school of medicine. The word "conjoint" was inserted to show that the University of St. Andrew's was to be included in the scheme, and I think it very fair that that word should be left where it is.

Amendment, by leave, withdrawn.

*MR. ESSLEMONT (Aberdeen, E.): I hope the House will allow me to explain why I propose the rather strong measure of deleting from the Bill Clause 18. In Committee the Lord Advocate intimated that this was a clause which might be conveniently discussed on Report. The question of University tests was raised in Committee by my hon. Friend the Member for South Aberdeen (Mr. Bryce), and on that occasion I found myself unable to join with him, being unavoidably absent from the House. There are one or two circumstances connected with the question which make it more convenient that a Division should be taken now. When the House first considered the question it had to deal with it in regard to all the Chairs of general culture, as well as with those Chairs which are termed theological. I thankfully acknowledge the concession made by the Government, that tests with regard to Chairs of general culture shall cease and determine. Let us consider the composition of the Commission to whom the question that remains is to be referred. It is a miniature of the House, and contains a majority of Conservative Members. The Scotch Universities ought to be Liberal Institutions in order to fulfil the purposes of their existence. I submit that we know already what Report will be given by the Commission in regard to theological tests. Undoubtedly it will report that theological tests ought to continue, and that the test to be applied is that of a confession of faith in conformity with the Church of Scotland as esta-

blished by law. Why, then, should the Commission have the trouble of bringing up a Report on the question? No Member of this House requires a Commission to enable him to make up his mind in regard to the subject of theological tests. The question is decided by the constituencies. It is not a matter which can be submitted to any Commission whatever. I take my stand upon the question of principle. I belong to a religious denomination which for 150 years has believed that the State has no right to apply public money to teach any religion whatever, and if they have no right to do it elsewhere they have no right to do it in the University. But I call for the abolition of these tests upon the general ground of economy, and also upon the ground that it will promote harmony. We have in Scotland Presbyterian and Dissenting denominations teaching theology not inferior to the theology of the Church of Scotland. The expense is defrayed by the contributions of the members of the different denominations. The Church of Scotland is the wealthiest Church in Scotland, and it is better able to provide Theological teaching than other denominations. My contention is that if we abolish these tests, and are to have Theological Chairs at all, we might have the Chairs supported not by the Exchequer of the country, but by the whole of the Presbyterian Bodies, if not by the whole of the Churches in Scotland, upon economical and efficient principles. At present they are neither efficient nor economical. We have Chairs maintained for the fewest possible students, and they are maintained at each of existing Universities. I hope the time is not far distant when even in Scotland there will be greater harmony upon ecclesiastical questions. We are now entering upon University reform, but by this clause we are proposing to perpetuate the old ecclesiastical bickerings which are brought into all political questions. We are keeping up in the different parishes of Scotland those ecclesiastical differences which are wasting the general contributions of the people and the endowments which the Church has from the State. All these things could be remedied and set at rest; these ecclesiastical differences could be taken out of the arena of politi-

cal debate. If this clause were deleted we should be in a position to take up the question and decide it upon its merits. At present the question is to be practically hung up for the next two or three years. I raise the point again on Report in no captious spirit, with no desire to accentuate any differences which may exist. In the interests of the Commission, I propose that we should not submit to them a subject that they know very little about and cannot decide to the satisfaction of the House. I readily acknowledge the fairness with which the Lord Advocate and the Solicitor General for Scotland have met us upon this Bill, and the desire they have shown that we should have a full opportunity of expressing our views. I hope I have shown no desire to detain the House at undue length. I stand here on a matter of principle, and I am obliged to take a Division. I hope I may be accompanied in the Lobby by all those who want to put an end to those ecclesiastical differences and bickerings which have already survived too long.

Amendment proposed, in page 16, to leave out Clause 18.—(*Mr. Esslemont.*)

Question proposed, "That Clause 18 stand part of the Bill."

SIR G. TREVELYAN: I am glad my hon. Friend has brought forward this question, and I think the House will agree with his last remark, that it is very important to take a Division upon the point without any prolonged Debate. The hon. Member is quite right in bringing it forward, because it is a new question. It is a question now whether this matter of principle should be referred to the University Commission appointed, as we think, for very different purposes. We have not yet had a vote upon that important point. I could not put my own view more strongly than in that sentence if I spoke for half an hour.

*MR. W. P. SINCLAIR (Falkirk Burghs): My hon. Friend (Mr. Esslemont) has spoken of the Commission necessarily coming to a foregone conclusion. If I thought that were the case, I should certainly vote for my hon. Friend's Amendment. But it is because we look at the clause it is proposed to delete and consider it with the names and characters of those who compose the Commission, that we

think it is fair and wise to refer this question for enquiry and report to the Commission, and their decision is not necessarily a foregone conclusion. The hon. Member speaks of gentlemen being on the Commission who know little of the subject in hand, but I think that accusation simply requires to be stated in order to carry its own refutation. The Commission may not decide to the satisfaction of the House? No, and the Commission is not asked so to decide; they are asked to make a special Report on the matter to hand to Her Majesty. They can come to no definite conclusion; they can simply report. On this subject it is most essential we should have an investigation and a Report—a Report which will satisfy the people of Scotland, who already know it is not a foregone conclusion. The subject will be considered by the Commissioners with practical ability and in a conscientious manner, who will then report to the House and the country on the subject.

MR. HUNTER: I think the great objection to the clause is that it throws upon the Commissioners a great deal of work, and that work will simply be spoiled work, for it is absurd to suppose that any number of persons will be to the slightest extent affected by the opinions of individual Commissioners on this subject. The question of theological tests is not one that requires investigation. The inquiry upon which these gentlemen will embark is a perfectly useless and wasteful inquiry. While I make these remarks, I think it is immaterial whether the clause is retained or omitted, for it is certain that nothing in the inquiry by the Commissioners, or the opinion of the Commissioners, will, in the slightest degree influence those of us on this side who are disposed at the earliest opportunity to put an end to the injustice connected with theological tests in connection with the Universities of Scotland.

The House divided:—Ayes 178; Noes 98.—(Div. List, No. 263.)

MR. HUNTER: The Amendment I wish to insert is met, I believe, by an Amendment the Lord Advocate is about to propose.

Amendment proposed, in Clause 20, line 14, to omit the word "therefrom," and insert the words "from such scheme

or any part thereof."—(Mr. J. P. B. Robertson.)

MR. BUCHANAN (Edinburgh, W.): I do not gather whether this carries out the intention of the hon. Member for North Aberdeen. Perhaps the Lord Advocate will explain.

MR. J. P. B. ROBERTSON: I have shown the Amendment to the hon. Member for North Aberdeen. The words I propose are taken from the Endowments Act, 32 and 33 Vict., c. 56, and provide for what the hon. Member desires, that if the objection of Parliament is to any particular part of the scheme the objection may be so stated and the other part may be proceeded with.

Amendment agreed to.

Amendment proposed, in Clause 20, line 15, to add the words "Or any part thereof to which such address does not relate."—(Mr. J. P. B. Robertson.)

Amendment agreed to.

Amendment proposed, in Clause 21, page 18, line 26, after the word "been," to insert—

"Approved by Her Majesty in Council, and that it shall be lawful for Her Majesty to refer such ordinances to the Universities Committee, who shall report to Her Majesty thereon: Provided further, that such ordinances shall be."—(Mr. J. P. B. Robertson.)

Amendment agreed to.

Amendment proposed, in Clause 25, page 19, lines 23 and 24, to leave out the words "charged upon the Consolidated Fund or the growing produce thereof," and insert the words "paid out of moneys to be provided by Parliament."—(Mr. Hunter).

Amendment agreed to.

Consequential Amendments in Clause 26 (Mr. Hunter), agreed to.

MR. HUNTER: There is an Amendment standing in the name of my hon. Friend (Mr. Wallace). I do not know whether the Government will accept it. I will move it.

*MR. SPEAKER: The Amendment, which provides that no portion of the sum shall be appropriated to the payment of compensation fixed under this or any other Act, is not in order.

MR. HUNTER: The understanding was that no pensions should be paid out of this fund.

Mr. W. P. Sinclair

***MR. SPEAKER**: The understanding would not affect the point of order.

Amendment proposed, in Clause 29, page 21, line 18, before the word "thousand," to insert the word "forty-two."—(*Mr. J. P. B. Robertson.*)

MR. HUNTER: Upon this point I may ask a question of the Chancellor of the Exchequer. The right hon. Gentleman made a statement in which he said this £42,000 would be clear of certain charges.

MR. GOSCHEN: No.

MR. HUNTER: Well, that was our unfortunate understanding. Perhaps the best course will be for the Chancellor of the Exchequer to state exactly what he intends to do with the £42,000, and especially with reference to the compensations we had in mind for professors whose interests may be injuriously affected by ordinances made under this Act under Clause 14.

***THE CHANCELLOR OF THE EX-CHEQUER** (*Mr. Goschen, St. George's, Hanover Square*): I am glad the hon. Member has raised this point; it is one upon which it is desirable there should be no misunderstanding. I think I can, in a few words, recall to the memories of hon. Members how this matter stands. I said I would consider a method of assisting the settlement of these claims for compensation; but I said I could not agree that these claims should altogether be thrown upon the Consolidated Fund. When I was asked to put the whole amount upon the Consolidated Fund, I pointed out that in that case we should not have the support of the Royal Commission in the endeavour to keep down the amount of compensation. I stated that I could not undertake the whole of the compensation, or pledge the Treasury to an unlimited extent. What I offered was that, seeing that these claims might be a heavy charge upon the funds at the disposal of the Commission, I should be willing, if the Commission presented a fair case to the Treasury and made reasonable proposals, to assist the Commission in that case to a moderate extent. That is substantially what I promised. We will offer assistance on condition that the Commission will present claims that are not extravagantly high, and in this way the

Treasury and the Commission will assist each other.

***SIR LYON PLAYFAIR** (*Leeds, S.*): That is the impression left on my mind by the previous speech of the Chancellor of the Exchequer, but I fancy there may still be some misapprehension left on the minds of some of my friends. The assistance of the Treasury will be beyond the limit of £42,000?

***MR. GOSCHEN**: I was pressed to agree to throw upon the Treasury the expenditure beyond £42,000; but this I, on the part of the Government, declined to do. Feeling, however, the difficulty the Commission might have in settling these claims, I undertook to assist the Commission to a moderate extent, if a satisfactory claim was put before us.

Amendment agreed to.

Amendment proposed, in Clause 30, line 25, to leave out the third "of," and insert "or."—(*Mr. J. P. B. Robertson.*)

Amendment agreed to.

Amendment proposed, in Clause 30, line 26, before the word "which," insert the words "thereof existing at the passing of this Act."—(*Mr. J. A. Campbell.*)

Amendment agreed to.

SIR G. TREVELYAN: I should like to hear a few words on this subject from the Lord Advocate—

***MR. SPEAKER**: I have decided the "Ayes" have it.

Amendment proposed, in Clause 30, page 21, line 30, to leave out the words from, "and to enable," to end of Clause, inclusive.—(*Mr. J. A. Campbell.*)

SIR G. TREVELYAN: Undoubtedly it is a somewhat late period to take exception to an Amendment which is very like a consequential Amendment to that the hon. Member has just succeeded in carrying; but I regret that the first Amendment was carried without a word or two from the Lord Advocate, because it appears to me to very seriously weaken the hold of the University over the affiliated colleges, a hold which I understand the affiliated colleges in all cases would not object to.

MR. J. P. B. ROBERTSON: I must confess that I expected the right hon. Gentleman would have intervened, but

as he did not do so on the first Amendment, I rather gathered that his objection had disappeared. I cannot say that I feel this is very important; but it appears to me that as the former part of the clause has been altered it is right that these words should go out. But I do not think it is a very important matter.

Amendment agreed to.

Amendment proposed, in Clause 32, page 22, line 30, leave out the words "or senior principal if more than one."

—(Mr. J. P. B. Robertson.)

Amendment agreed to.

*MR. W. H. SMITH: I would appeal to the House to allow the Bill to be read a third time at once.

MR. HUNTER: I must object, on the ground that some Members desire to make a few observations on that stage of the Bill.

*MR. W. H. SMITH: Under these circumstances I will not press the Third Reading on this occasion, but I trust there will be no objection to taking it to-morrow.

Bill to be read the third time to-morrow.

LUNACY ACTS AMENDMENT BILL [LORDS] (No. 199.)

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill be now considered."

MR. MACINNES (Northumberland, Hexham): I desire to move that the Bill be re-committed in respect of a new Clause as to the removal of pauper lunatics to their places of settlement. This Bill was referred to a Grand Committee, but did not occupy three full days discussion therein. When the Committee sat the time devoted to the consideration of the measure was short, there being no interest taken in the matter. It was, in fact, with difficulty that a quorum could be made. It will be seen that, since we had it from the First Lord of the Treasury that the Bill had been carefully considered, the right hon. Gentleman the Home Secretary himself has put down various Amendments which, though they will not occupy a long time in discussing, show that there is need for further consideration. The point I desire to bring

before the House refers to the anomalies in the present law as to the removal of pauper lunatics to their place of settlement, which only affects certain parts of the country, and is little felt in the inland counties. It affects especially English counties on the Scotch Border, and on the seaboard facing the Irish coasts. These counties have in their asylums many pauper lunatics from Scotland and Ireland, which they maintain at the expense of the English ratepayers. They cannot by law send them back to their place of settlement; but in the case of English pauper lunatics, in either Scotland or Ireland, the law allows them to be sent from Scotch and Irish asylums to England, where they become chargeable to the English ratepayers. It is a sad fact that many of these pauper lunatics are comparatively young. Statistics and one's own experience in visiting the asylums show this to be the case, consequently the burden to the English ratepayer is a heavy one. All we ask for is that in this matter there should be reciprocity as to the law of removal, and that Parliament should no longer allow a heavy and anomalous burden to rest on certain English counties solely on account of their geographical position. It may be said that this is not the time to bring the question forward. Well, I do not bring it forward as a personal question, but on behalf of many Public Bodies, who have considered the matter, such as Magistrates in Quarter Sessions, and Boards of Guardians. It has long been felt a serious grievance, and I sincerely hope that the Government will deal with the matter, and will indicate whether, in their opinion, it is, or is not, reasonable that the present state of things should exist—that Irish and Scotch asylums should be able to send back English lunatics, whilst English asylums are obliged to retain Irish and Scotch lunatics. It will be a matter of disappointment if this Bill does nothing to remedy the grievance.

Amendment proposed, to leave out the words "now considered," and add the words—

"Recommitted in respect of a new Clause (Removal of Pauper Lunatics to a place of settlement)."—(Mr. MacInnes.)

Question proposed, "That the words 'now considered' stand part of the Question."

Mr. J. P. B. Robertson

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. MATTHEWS, Birmingham East): I quite understand the motive with which the hon. Member brings this Motion forward. The hon. Gentleman brought this subject before the Standing Committee, and the Chairman ruled that it was out of order, on the ground that it was wholly foreign to the subject-matter of the Bill. I also would urge on the hon. Member that he is asking for an inquiry which would be totally foreign to the Bill. We are not dealing with the Law of Settlement, or anything which would tend to remove any inequality which may exist in connection with the Law of Settlement. The question raised by the hon. Gentleman is by no means clear; it is a thorny one, and one of great perplexity and considerable difficulty; it would excite hostility in various parts of the House, especially from the Irish Members; and if we attempted to deal with it it would impede the progress of the Bill, if it did not prove fatal to the measure. At present there are about 1,600 Irish pauper lunatics in English asylums, and supposing that only 1,200 were removed, the grant in aid payable by the Treasury would have to be increased by no less than £12,000 a year, in addition to which there would be a large extra burden thrown on the ratepayers in Ireland. And the change proposed, if adopted, would necessitate a variety of subsidiary enactments, in order to meet the burden and deal with the new state of things. I will not give an opinion on the law of removal of pauper lunatics, but in the interests of the passing of the Bill, I would ask the hon. Member not to press his Amendment.

Amendment, by leave, withdrawn.

Main Question put, and agreed to.

Bill considered.

A Clause (County Court judge and magistrate,)—(*Mr. Secretary Matthews*),—brought up, and read the first and second time, and added.

Another Clause (Notices as to letters and interviews,)—(*Mr. John Ellis*),—brought up, and read the first time.

Motion made, and Question proposed, "That the Clause be now read a second time."

*MR. J. E. ELLIS (Nottingham, Rushcliffe): I should hesitate to move such a clause as this were it not that the clause was originally contained in the Bill, and was struck out in the Grand Committee, of which I was a member. The clause was first proposed by the hon. Member for Swansea in the Select Committee to inquire into the Lunacy Laws in 1878. The proposal at that time was carried unanimously, and since then the Government of the right hon. Gentleman the Member for Mid Lothian and the present Government, in every Bill they have introduced on this question, have adopted the clause. The weight of authority, therefore, is overwhelming in its favour. However, in the Grand Committee this Session it was struck out by 15 votes to 9. As I understand that my proposal will meet with the support of the Government, I will not trouble the House with any further remarks.

*DR. FARQUHARSON (Aberdeen, W.): I would point out that the Grand Committee on Law struck out this clause after full discussion. I oppose the clause because I think that the best medical testimony is unanimous that the fact of hanging these notices all over lunatic asylums will tend very greatly to retard the recovery of the patients by unsettling their minds and leading them to brood over fancied grievances. We should regard insanity as much a disease as that of any other organ of the body, and we should remove the patient from all influences likely to prevent recovery.

MR. A. O'CONNOR (Donegal, E.): I do not think the hon. Member who moves this clause realises fully the probable effect of his proposal. If his acquaintance with the inside of lunatic asylums were very large, he would know that many patients spend most of their time in writing letters to the Lord Chancellor and other persons. I know of a case in which two sisters spent every day, from morning to night, in writing letters to the Lord Chancellor, and another in which a person was continually writing to Satan. The hon. Member seriously proposes that all the multitudinous letters thus written should be delivered to the Commissioner or visitor, if not forwarded to their address. The idea is ludicrous in

the extreme if you have in mind the nature of the correspondence of many hundreds of these inmates. But there is another objection I have to make to the clause, and that is the invidious distinction drawn between private patients who happen to have friends of a certain status in life and their more unfortunate pauper brethren. I would ask the hon. Member whether he has consulted any Lunacy Commissioner or Master in Lunacy as to the desirability of his proposal? I do not think he can have done so, or he would have been told that the almost infallible result of his clause would be to disturb the minds of the patients, to enormously increase the work of the Commissioners, and give a large amount of unnecessary trouble to the staff of the asylums. Moreover, instead of having a calming and beneficial effect on the minds of the inmates, it would have a precisely opposite effect. The provocative effect of such notices as those proposed could not be exaggerated. No doubt it would be a good thing if instruction as to the forwarding of letters were given by the Commissioners in cases in which patients would not be unduly encouraged to abuse their privilege. That would be a sensible regulation to which no objection could be taken, and I would, therefore, suggest that the words "whenever the Commissioners shall direct" should be inserted in the clause. No doubt the hon. Member (Mr. J. E. Ellis) considers that there is danger of sane people being confined in lunatic asylums. I used to think so, too, at one time; but I have now, after 10 years' experience in connection with lunatic asylums, come to the conclusion that the danger is not such as to warrant the serious step proposed by the hon. Member. Besides, the Committee upstairs thrashed the matter out, and by a decisive majority threw out the clause, and I think it is a strong step to take to come down here after the Committee has so decided, and move the re-introduction of the clause. No doubt if it were a great matter of principle, the hon. Member would be justified in the course he is taking; but I do not think that, on a matter of internal economy and administration of lunatic asylums, the hon. Member is justified in renewing the fight that we had upstairs.

Mr. A. O'Connor

SIR J. DORINGTON (Gloucestershire, Tewkesbury): I was fortunate enough when I moved the rejection of this clause in the Committee to be able to convince hon. Members of the desirability of striking it out, the arguments advanced by myself and the hon. Member for Aberdeen being sufficient to convince our Colleagues. I am convinced that if the authors of this clause had taken the evidence of any expert gentleman on the question of lunacy, they would have been informed that the introduction of this proposal would be a most mischievous thing so far as our lunatic asylums are concerned. It is certain that Medical Authorities are agreed on the matter, and that the Lunacy Commissioners themselves concur with us in condemning the clause. The clause would keep the unfortunate patients in our asylums in a perpetual state of fret—which is, ordinarily, one of the commonest symptoms of their malady. You want, as far as possible, to remove from them all irritating influences, and to allow their minds to be at rest, and I submit that to put up the notices contemplated by this clause would have an exactly opposite effect. If there was any foundation for the idea that these people are suffering from some wrong, it would be right to have such notices put up; but the Commissioners, in their Report, declare that all the suggestions as to the wrongs of lunatics turn out to be baseless, and that the abuses which existed in our lunacy system some years ago have been altogether eradicated. We ought not to try experiments on these unfortunate people, for this is an experiment, and it is not justified by any sound opinion.

MR. MATTHEWS: It seems to be forgotten that the object of this Bill is to provide additional safeguards against the improper confinement of persons in asylums; and the Committee upstairs has passed a clause giving every alleged lunatic the power to write to certain official persons, and to have letters forwarded at once unopened.

MR. A. O'CONNOR: I do not object to the inmates writing letters, but to their minds being constantly irritated by the publication of those notices.

MR. MATTHEWS: I would point out that the clause was inserted by the Lord Chancellor to carry out the

deliberate recommendation of the Committee of 1878, that printed notices should be affixed to the walls of all lunatic asylums setting forth the right on the part of the inmates to appeal by letter to the Commissioners. They desired to provide protection against abuse in those institutions; and they must run the risk of many unfounded complaints being made in order that an occasional case of real grievance might be brought to light and redressed. I shall, therefore, support the clause if it is pressed to a Division.

MR. BRADLAUGH (Northampton): I think it necessary to state, as a Member of the Committee, that I and some six or seven other Members of the Committee were not present at the Division on the clause, having to attend to other business of the House. But on my return I was astounded to find that the clause, of which I was in favour, had been struck out.

MR. H. DAVENPORT (Staffordshire): I hope the clause will not be now inserted, as it is against all authority. Every proper opportunity is now afforded to patients to make their complaints, and the effect of carrying out this clause will be prejudicial to their recovery.

*SIR W. FOSTER (Ilkeston, Derbyshire): I object to this clause mainly on medical grounds, because I think its effect would be to produce on the minds of the patients a continual irritation leading to repeated outbursts of excitement, which would hinder their cure. The clause originated at a time when there was a "scare" in the public mind, it being supposed that persons were wrongfully shut up in these asylums. That scare has been shown to be groundless, and it no longer exists.

MR. JOHNSTON (Belfast, S.): I hope the Government will re-consider this matter. As far as I am concerned, I am in agreement with the hon. Member for Donegal.

MR. H. H. FOWLER (Wolverhampton, E.): If the object of this Bill were simply to provide for the better treatment of lunatics, the opinions of the hon. Members for Derbyshire and Aberdeenshire would have overpowering weight. But the object of the Bill is to protect people who are, but who ought not to be, in lunatic asylums. The Division in the Grand Committee,

when only 24 out of 80 Members were present, and when the majority was only 15 to 9, could not be regarded as conclusive. It is said that all the authorities on the question are on one side, but it is late in the day to learn this fact. The Bill has been brought before Parliament several times. It has gone through the House of Lords year after year under the conduct of such Lord Chancellors as Lords Selborne, Herschell, and Halsbury, and no such objection has ever been before urged. If, therefore, an enormous weight of authority is against the clause, that authority has been an unusually long time in finding expression. If public asylums alone were in question, the objections of hon. Members to the clause would have great force, for the county asylums are, perhaps, the best managed institutions in the world. For my own part, I should wish that all private lunatic asylums were abolished, and I find fault with the Bill because it permits the continuance of private asylums for a much longer period than is desirable. But the Bill deals with private asylums, kept by private persons, under no public control or supervision whatever. The history of litigation shows that people are wrongfully placed in private lunatic asylums, and that there are temptations for their detention in such places. The crucial difference between the public and private institutions is, that while in the case of the former there is no temptation to detain persons a moment longer than is proper, in the case of the latter such temptation might exist. Another clause of the Bill, which no one challenges, provides that the superintendent of every asylum should forward, unopened, all letters written by patients and addressed to Lunacy Authorities; and yet, if anything is likely to irritate a patient's mind, it would more likely be the writing of the letter than merely seeing the notice. I am willing, however, to accept an Amendment which would give the Commissioners more latitude in fixing the method by which patients should be informed of their right of addressing authorities.

MR. MOLLOY (King's County, Birr): In reference to the statement that the Lunacy Commissioners, who are the highest authority on this matter, are opposed to the clause, I must remind

the House that the Lunacy Commissioners opposed the Bill in 1891 as they opposed every previous Bill of a similar nature. The control of private asylums by the Commissioners is in reality an absolute absurdity, and if private asylums are left uncontrolled another public scare will be the consequence.

Dr. McDONALD: Rose and Cromarty: I think, Sir, that the great blot in this Bill is that it does not bring private asylums under public control. I believe that all objections to the clause would be removed if an Amendment were carried providing that the notice to patients should be private instead of public.

The House divided:—Ayes 140; Noes 46.—Div. List, No. 264.

Mr. A. O'CONNOR: I desire to move an Amendment to the clause, to introduce at the commencement of the clause, the words, "whenever the Commissioners shall so direct." I believe those words will probably meet the points raised in the previous discussion. For instance, we may be well satisfied that in all private asylums the Commissioners will direct that such notice as is referred to shall be given; but that in other institutions where the holding out of a perpetual incentive to public notice would work mischief, they will not consider it desirable that the notice should be placarded.

Mr. MATTHEWS: I do not object to the Amendment. I assume that the hon. Member means the Commissioners of Lunacy. I think "of Lunacy" had better be inserted.

Mr. A. O'CONNOR: I accept the suggestion.

Amendment proposed, at the commencement of the Clause, to insert the words, "Wherever the Commissioners of Lunacy so direct."

Question, "That those words be there inserted," put, and agreed to.

Mr. MATTHEWS: I think that Sub-section (a) of the clause must be amended, because it states a right which no longer exists in the Bill. I move to leave out all the words after the word "forwarded," and to insert the words, "In pursuance of the last preceding section."

Mr. Molloy

Amendment proposed, in Sub-section (a), of the proposed new clause, line 3, to leave out all the words after the word "forwarded," in order to insert the words "in pursuance of the last preceding Section."—(Mr. Secretary Matthews.)

Question, "That the words proposed to be left out stand part of the Question," put, and negatived.

Question, "That the words 'in pursuance of the last preceding Section' be there added," put, and agreed to.

Question, "That the clause, as amended, be added to the Bill," put, and agreed to.

Amendment proposed, in Clause 1, page 1, line 9, to leave out the word "January," and insert the word "May."—(Mr. Secretary Matthews.)

Question proposed, "That the word 'January' stand part of the Clause."

Mr. MOLLOY: The Report of the Commissioners is always a long time in arrear, and I wish to know whether this Amendment would cause any further delay?

Mr. MATTHEWS: The Report is ready for this year, and this Amendment merely postpones the operation of the Act.

Question put, and negatived.

Question, "That the word 'May' be there inserted," put, and agreed to.

Mr. MOLLOY: In the absence of the hon. Member (Mr. Corbett), I should like to move one of his Amendments, to leave out Sub-section 4 of Clause 55. My objection is that the clause seems to leave the way open to an increase of the number of private asylums in this country. I wish to limit the number, and should be glad to see them all done away with.

Amendment proposed, in page 32, line 11, to leave out Sub-section (4) of Clause 55.—(Mr. Molloy.)

Question proposed, "That Sub-section (4) stand part of the Bill."

Dr. FARQUHARSON: I think the domestic treatment of insanity will be more successful in the future than to aggregate the patients in large herds. It will be better to segregate them in small numbers in domestic houses, where they will have occasional asso-

ciation with the sane and not always be in contact with the insane in overcrowded institutions. I think the clause should be adhered to.

MR. MATTHEWS: I would also point out to the hon. Member that to limit the number of places would take from patients a benefit which they desire.

Question put, and agreed to.

MR. ATHERLEY JONES (Durham, N.W.): This Amendment to leave out Sub-section 6 of Clause 55 raises a question to which I have given careful attention. I have conferred with a large number of persons well qualified to inform me, and the conclusion I have come to is that it must be prejudicial to the advantageous treatment of the insane that there should be a monopoly of private asylums in few hands. When the matter was debated elsewhere, there was a very prevalent opinion in this country that it was expedient, as far as possible, to abolish private asylums altogether, and that it would be a most desirable thing if the treatment of the insane could be exclusively confined to public institutions. I think there is a very general concurrence of opinion in the country upon that point, but elsewhere it was considered that there were immense practical difficulties in the way. I think I am not exaggerating when I say there are between 3,000 and 4,000 private asylums in the country. Had the proposal been adopted in its original form, we should have—by the stroke of a pen—abolished all private asylums. As a compromise this clause was inserted, and I think I shall have the sympathy of hon. Members when I refer to that compromise as a most unfortunate one. It certainly enables public authorities to provide accommodation in public lunatic asylums for private paying patients, but it is not compulsory so far as the County Authorities are concerned. No doubt the object of this clause is to gradually extinguish private lunatic asylums; henceforth, no new licenses are to be issued, and existing licenses are only to be continued at the discretion of the Commissioners. This must give rise to manifold evils. Hon. Members, if they refer to the section, will see it gives power to the Commissioners to authorise the proprietor of any private lunatic asylum to enlarge his residence

for the reception of patients, or to provide a new building in place of the old one. By this clause you increase the value of private asylums to an appalling extent. I have consulted several gentlemen connected with private asylums, and they tell me that already the value of these institutions has gone up 100 per cent, thanks to the monopoly which this clause will create. Monopolies are bad things; but having created one in this case, the question arises whether under it you will get more effective management of these institutions. If you get that, then I quite admit that the force of the objections which I am urging will be very much diminished. But on this point I am again assured by those who are competent to speak that you will not get improved management. Remember that the proprietor of a private lunatic asylum need not be a specially qualified man, he need not be a medical practitioner; a layman, and even a woman, may own such an institution. This clause will tend to increase speculation in these undertakings, and I know of a case in which, in view of the passing of this clause, a very considerable sum has been offered for one of these institutions. Then, again, this clause will inflict grievous harm upon a competent class of men, men who have served in public institutions, and who are desirous of themselves starting private lunatic asylums. I have in my mind's eye at the present moment a gentleman who has recently severed his connection with one of the largest asylums in the kingdom, after a period of service there in which he did himself the greatest credit. He wrote a short time ago to the Lunacy Commissioners requesting them to grant him a license; but he was told that in view of the passing of this Bill, no new licenses would be granted. The result is, that this man who has saved his money, and is in every way a desirable person to have charge of a private lunatic asylum, will be debarred from carrying on a professional duty of a most difficult character. It is a remarkable thing that when this Bill was first introduced the proprietors of private lunatic asylums took great umbrage at it, and their opposition to it might almost be described as malevolent and vindictive. But as soon as they discovered that a monopoly was to be

created in their favour, the opposition collapsed. I might urge a great many more reasons against the creation of this monopoly; but as I think the right hon. Gentleman will realise the undesirability of its creation, I will not further trespass on the time of the House. I beg to move the Amendment which stands in my name.

Amendment proposed, in page 32, line 30, to leave out Sub-section (6) of Clause 55.—(*Mr. Atherley-Jones.*)

Question proposed, "That Sub-section (6) stand part of the Bill."

MR. MATTHEWS: I must point out that the omission of this sub-section would practically necessitate the omission of the whole clause. Hon. Members will see that the first five sub-sections of the clause are simply and solely introduced on account of the prohibition against granting new licenses. When the Bill was introduced in the House of Lords, the clause consisted of the sub-section alone; and it was the intention of the framers of the Bill to put an end to the private house system altogether. The sub-section meant that all private asylums come to an end after 12 months from the passing of the Act. It was felt that men who have invested capital in these private asylums and who have devoted their lives to the profession, if it can be called a profession, would suffer great hardship under the section, and the earlier sub-sections were therefore introduced to modify the harshness of the prohibition in Sub-section 6. No doubt the clause is open to the objection that it does, to some extent, create a monopoly; but people who invest money in these private asylums must understand that the licenses have to be renewed every 12 months, and that the slightest mismanagement will expose a private asylum to the non-renewal of the license. In fact, the owners of these institutions are in no better position than the holder of licenses under the Licensing Act. I should very much like to see the clause abandoned, which it certainly must be if this sub-section is struck out.

DR. FARQUHARSON: We occupied so short a time in the discussion of this Bill on the Second Reading stage that I do not think any excuse is required for taking this opportunity of discussing the point raised by

Mr. Atherley-Jones

the Amendment. The right hon. Gentleman has stated that this clause embodies one of the most essential points in the Bill. Of course, it partakes of the nature of a compromise. Some people thought that private lunatic asylums should be swept away altogether without compensation, but public opinion has not yet reached that point. We know that an enormous amount of capital has been invested in these institutions, and I am inclined to think that no case has been made out for interfering with their *status quo*. It has been pointed out that the monopoly created by this Bill will eventually give rise to very great evils. For instance, it may happen that in years to come there will only be one private lunatic asylum in the whole country. It does not follow that the asylums which will survive will be the fittest, while the clause will do away with a large number of small houses all over the country, in each of which two or three of these unfortunate people are treated. I do not think the general public will ever be content to give up private lunatic asylums. Some of these institutions are conducted with a liberality of expenditure and have a splendour of internal decoration and comfort which offer greater attractions to those who can afford to pay than are possessed by the *annexe* of a large public asylum. People in a position to pay have a natural horror of sending their friends to an institution which is partly maintained at the public expense. Private asylums will always be a necessity of our civilisation, and if they were abolished it would be impossible to get the same beneficial results in a private portion of a public institution. I will just say, in conclusion, that after giving a great deal of attention to this subject, I am not at all satisfied that a case has been made out against private asylums. There has been a great deal of vague talk and of melodramatic and hysterical writing outside this House which has created somewhat of a scare, but I do not think that anything has been proved which renders it necessary to interfere with the present condition of things. I do not think, also, there is any prospect of securing a more effective supervision by this Bill. It is absurd and preposterous to think that a small number of Commissioners can satis-

factorily superintend the enormous number of lunatics placed under their charge. In Scotland, however, an excellent system prevails. There there is a larger number of Commissioners and a marked absence of the legal element, and the division of the district is so well managed that each Commissioner knows every patient under his charge. I fear, however, I should be out of order in discussing this matter. I repeat I do not think any case has been made out against private lunatic asylums, and I do not think it is in the interest of the general public that they should be interfered with.

MR. MOLLOY: I hope my hon. Friend will be satisfied with the discussion which has taken place. I have taken part in this movement, and the reasons which have been cited by the Home Secretary led me to the conclusion that it would be impossible to do away with private lunatic asylums altogether. My hon. Friend who last spoke fears the clause will put an end to the system of distributing lunatics in small numbers in domestic circles; but if I read rightly Section 4 of this Clause, I believe that will not be the result, because the joint licensee may separate their interests, take in new partners, and separate their interests until each one has only two or three lunatics in his charge. There will be no difficulty in doing this, so long as the total number of lunatics for which the license is issued is not exceeded. I think this matter has been sufficiently discussed, and I can only say that if this clause is struck out, we shall have to do our utmost to prevent the Bill passing into law.

Amendment, by leave, withdrawn.

Amendment proposed, in page 39, line 7, after the word "lunatic," to insert the words, "either to the asylum of the county in which the workhouse is or."
—(Mr. Molloy.)

Question proposed, "That those words be there inserted."

SIR J. DORINGTON: I think these words unnecessary. I take it that the object of this clause is, in the case of affiliating unions, to allow the Justices to decide whether or not they shall send a lunatic to an asylum in the county in which the workhouse is situated, or to the asylum of the county for which the Justices act. Therefore, these words are unnecessary.

MR. MATTHEWS: I have not quite followed the argument of the hon. Baronet, but I may point out that the object of the insertion of these words is to enable the Justices to send a lunatic to the asylum of the county to which he belongs, or to the asylum of the county in which the workhouse in which he is confined is situated.

SIR J. DORINGTON: This is purely a legal question. The question we have to consider is the lunatic who is sent to the workhouse from another county than that to which the workhouse belongs. Another Amendment of the Home Secretary gives permission to send the patient to the wrong asylum. I wish that he should be sent to the proper asylum, and it is on that ground I oppose the insertion of these words.

Question put, and agreed to.

Other Amendments made.

Bill read the third time, and passed.

POST OFFICE SITES BILL (No. 224).

Order read for resuming Adjourned Debate on Question [19th July] "That the Bill be now read a second time."

Question again proposed.

Debate resumed.

MR. J. ROWLANDS (Finsbury, E.): In continuing the speech which I was delivering in opposition to this Bill on the 19th inst., when I was interrupted by effluxion of time—

Notice taken, that 40 members were not present; House counted, and 40 members being found present,

MR. J. ROWLANDS proceeded: I will, so far as I can, avoid travelling over arguments I used previously. When I last spoke I was pointing out the densely-populated neighbourhood in which this prison site is situated, and I gave the House some indication of the vast number of new blocks of model dwellings erected or being erected around and near this site, and in the Holborn Division outside the radius of Clerkenwell. Those acquainted with the district will remember the block of dwellings named after a late Member of the House esteemed on both sides, the late Colonel Duncan. These model dwellings are erected without those little garden spaces that used to attach to the small houses, and they have simply small

packed working class population. In the vicinity of this site there are 10 or a dozen huge blocks of artisans' dwellings, five, six, or seven storeys in height, and the children who dwell in them see little else but bricks and mortar and asphalted courts. However excellent may be the internal arrangements of these blocks, their very height shuts out air and sunshine, the absence of which must affect the health of the occupants. In the playground at the top of the building, the children are, in certain conditions of the atmosphere, enveloped in the smoke and soot that come from the surrounding chimneys, while the sunlight can rarely penetrate to the floor of the court, which is only half as wide as the dwellings are high. There is, therefore, the most urgent need of open spaces in the neighbourhood of these blocks of dwellings; and certainly the people ought not to be deprived of this site for the sake of giving a pecuniary advantage to the Post Office. Indeed, I hold that the Post Office should not be so much looked upon by the Chancellor of the Exchequer as a money-earning Department, and when it pays its way the profits should be devoted to, say, reducing the rates of postage to the Colonies, or lowering the cost of telegrams. There would be some excuse for using a portion of this site for a technical school in the very midst of a population requiring it; but the health and well-being of the people are too important to be sacrificed to the development of the Post Office on commercial principles only, and I therefore trust the Bill will be rejected.

*MR. G. O. T. BARTLEY (Islington, N.): I should also like to urge that this Bill be not read a second time. I know perfectly well the line of argument taken by the Government is that this is a convenient site, and that it is required for Post Office purposes. That may be very true; but I submit that the needs of the Post Office do not justify the appropriation of this site in the midst of a densely-crowded population and only just over a mile from the Bank of England. It is easy to say the Government have a right to do what they are doing; but it is rather a strong order for the Government to anticipate the authority they have brought in this Bill to obtain, and before the Bill

is read a second time to spend a large sum of money in covering the site with buildings. The Government claim to have the right to this site; but it is remarkable that of the 10 clauses of the Bill, no fewer than four are intended to remove doubts as to whether the Government really have or have not the rights which they claim. It appears from two clauses that doubts had arisen as to the validity of the sale and transfer, and as to the powers of the parties to the agreement, and two other clauses are to put an end to claims or demands in the future upon any of the parties to the transfer. Therefore there are doubts in the case; and it is reasonable to ask that the people of the district should have the benefit of those doubts. If the Government, admitting that these doubts exist, would agree to make six out of the eight acres into an open space, possibly some of us might withdraw our objections; but if they persist in their proposal, they will have to deal with formidable opposition from Conservative Members. It is conceivable that Hyde Park or Kensington Gardens would, if built upon, give a material addition to the rates; but this is not a matter which should be looked at from the pecuniary interests of one district; it is a matter which concerns not merely Clerkenwell—it concerns London as a whole. I say the health of the centre of London is a matter in which we are all interested. I base my opposition to the Bill on this simple ground, that I challenge the Government on their rights. The Chancellor of the Exchequer is as keenly in favour as any of us of open spaces, and I therefore appeal to him. Inasmuch as there are doubts as to the legal aspect of the question, and as among a large number of their own followers there is a strong opinion that this site should be an open space, I think the Government are bound to take these doubts into consideration, and do something to grant our request. It has been said that we want to take this land and not to pay for it. That is not so. We want the Government to look into the facts, for it is extremely doubtful whether the ratepayers have not really already paid for this land. Granting, however, for argument's sake that the Government have, technically, some claim upon it, I think we are bound, in

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the interests of all parties, that if the Government cannot see their way to give us the whole site, to oppose the Bill in every possible way, in order to see whether we cannot secure some substantial part of this ground for an open space in the centre of London.

***VISCOUNT LYMINGTON** (Devon, South Molton): Mr. Speaker, what are the main arguments that have been put forward in favour of this proposal? The first argument is strictly a financial argument. The Chancellor of the Exchequer agreed to the assertion that the Government have a right to this site. I challenge that right, and, independently of any social consideration whatever, I challenge it upon the strict ground of finance. I have no doubt the Home Secretary will remind the House of the Housing of the Working Classes Act 1885. I quite admit—I regretfully admit—that a certain number of political doctrinaires got the better of the House at a late period of the Session, the 11th August, and inserted the words — “a fair market value.” But my right hon. Friend will say that, therefore, the Government are obliged by Act of Parliament to hand over this site at a fair market value. What is the real literal history of this transaction? When the present Government was formed and the noble Lord the Member for Paddington was Chancellor of the Exchequer, tenders were sent out on the part of the Treasury seeking for somebody who would erect on the land artisans’ dwellings. One of the largest Artisans’ Dwellings Companies in existence with which I am connected, and whose shares, both ordinary and preference, stand at a very large premium, made an offer to the Government of £100,000 for the site. The Postmaster General, in the course of his speech, told the House that the site had been valued by the Government at £96,000; therefore, taking the strictly financial view, the Government neglected their duty in refusing the offer. Why did they refuse to accept our offer of £100,000? They cannot shelter themselves under the clause of the Act of Parliament. Why did they not accept our offer at a “fair market value?” There is no answer to that except the fact which leaked out afterwards that the Post Office, already a large trading concern, wanted to take

advantage of the site. The Postmaster General has quoted a large extract from the Report of the Vestry in favour of his scheme. The matter has been referred to in the Report of the Royal Commission, and it has been dealt with and emphasised in a special Memorandum of the Prime Minister. It is ridiculous to quote the Vestry of Clerkenwell, when we consider the influences which must have prompted their recommendation. The Vestry wanted a large influx of population to add to the local trade and to reduce the burden of the rates, but such considerations are not worthy of influencing the House of Commons in the matter. The Royal Commission suggest that the sites occupied by Millbank and Coldbath-Fields Prisons should be conveyed to the Metropolitan Board of Works in trust for those parts of the town which are most overcrowded, and that in fixing the price of the sites due regard should be had to the purposes to which they are required. The Prime Minister, in his special Memorandum, said that if the sites are sold at cost price to some authority or trust which will build working men’s dwellings, the result will be to satisfy some special want under which, from its peculiar circumstances, London labours. Secondly, that the State, by making London the centre of Government, had both swelled the population by its *employés* and diminished house room; and, thirdly, and consequently, to use these prison sites in the interests of the people of London more closely resembled the provision of compensation than the offer of a gift. I come now to the peculiar case of Clerkenwell. The great trade of the district is the watch trade, and the ordinary apparatus by which that trade is carried on is so costly that none of the workmen are able to buy the whole of it. The consequence is, that they have to go around and borrow from one another, and the district is very crowded. The Conservative Party, led by Lord Salisbury, have deservedly obtained great popular credit for enabling the Royal Commission to sit and make their very able and interesting Report; and this is the first case in which the Government are able, in a practical way, to show their sincerity in this question. But they are going not only to cover with large buildings one of the most

about the Housing of the Working Classes Act, to draw attention to the fact that the conditions of that legislation do not affect the position of the Secretary of State the least in the world. He had no additional powers given to him, but even if he had fallen under that Act he would not have been able to sell to the Metropolitan Board of Works for less than a fair market price. We may, therefore, put aside the Housing of the Working Classes Act. My predecessor, bearing in mind the labours of the Royal Commission, and the want that London felt, or was supposed to feel, of improved labourers' dwellings, did in April, 1886, offer this property to the Metropolitan Board of Works for the purpose of erecting workmen's dwellings, and they were asked if there was any chance of their taking it at a price somewhat lower than the market value. In making that offer I think that my predecessor was running some little risk, and that he would have been wise in obtaining an Act of Parliament to ratify what he did. The Metropolitan Board of Works took some time to consider the matter, and at length came to the conclusion which has been stated by the hon. Member for St. Pancras—namely, that no more artisans' dwellings were wanted in Clerkenwell. Undoubtedly it would be very desirable to turn this site into an open space. ["Hear, hear."] Yes, it is always desirable to get an open space at someone else's expense. ["Oh."] We are not particularly anxious to have the site covered with buildings. The Secretary of State was bound to sell it to the best advantage, and it was offered for sale to the Metropolitan Board of Works, but they thought enough had been done for Clerkenwell, and were not disposed to put their hands into the ratepayers' pockets for this large sum. That was the state of affairs in 1886, and up to that point I consider that the Secretary of State discharged his duty, having even volunteered to take less than the market value. My own responsibility commenced about this time. I caused the site to be offered for sale, and offers were made for it, which were ridiculously below the value of the site. One offer was £48,000, one £60,000, one £70,000 and one £80,000, and lastly there was the offer of the benevolent company to which the noble Lord belongs of

£100,000. That was a price a little beyond that which one would have expected to get if the transaction was one which it was sought to complete in a hurry. No doubt it would have been accepted if the demand of the Post Office had not arisen. Let me remind the House that if I had accepted the £100,000 from that Company, the amount would have been handed over to the Exchequer as an asset, but the Exchequer had a perfect right to say, "No, we prefer to take the land instead of the £100,000, which is the price of it." In saying that is any wrong done to any human being? The Middlesex Magistrates are entitled to nothing save any excess in the purchase money beyond £186,000, but there was no excess. The site was handed over to the Post Office for £100,000—at least that was the form the transaction took, for so far as the Treasury were concerned it was only transferring the amount from one account to another. It might have been said by a subtle lawyer if the price had been fixed at £186,000, "How is it made out that if the land had not been transferred from one Department of the State to another, but had been sold in the open market, there would not have been a surplus to pay over to the Middlesex Magistrates?" and litigation might have ensued in order to show what the real value of the land was. The best test of the value of land is what you can get for it, and for this site I was never offered more than £100,000; therefore in parting with it to the Post Office the value was assessed at £100,000. Without legislation it was impossible for the Government to give this site for an open space or artisans' dwellings, or any other similar purpose. I had no authority to do that. I could not do that which the House had deliberately condemned—that is to take an Imperial asset and dispose of it as suggested. The Metropolitan Members have the audacity to come and ask me to take this Imperial asset of the value of £186,000 and hand it over, not to the Metropolis, but to Clerkenwell, a small district of the Metropolis. They ask me to do that which the Legislature has repeatedly, for years, refused to do. Why, the Legislature refused to go on paying for the London parks out of Imperial funds, and, I ask, how can they expect that this property should be taken

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and handed over to Clerkenwell as an open space? No doubt Clerkenwell is a desert of bricks and mortar and asphalt, where the children get little of the light of the sun and never an opportunity of enjoying fresh air in an open space, and where life has to be endured under such conditions as render it hardly worth living; but I contend that the Government have no right to put their hands into the pockets of the taxpayers of the country in order to provide the Clerkenwell children with a park. If the principle of doing such a thing were admitted, I should like to put in a plea for Birmingham, where there are also children who never see a green leaf or the light of the sun. I might with as great propriety put in a plea for Birmingham as hon. Members put one in for Clerkenwell; and when hon. Members talk about the duty of the Government in this matter I would ask them to reflect upon what they are proposing. They are asking us to give £186,000 of the taxpayers' money to the poor children of Clerkenwell—that and nothing less. No doubt money was spent very freely in this way in former times. London was treated as a spoilt child; and even yet a large amount of Imperial money is spent on local objects in London in a manner that hardly bears the test of critical examination. I must say I am surprised to hear such doctrines as that Imperial Funds should be expended on Clerkenwell come from the strict economists sitting opposite. They actually come forward—no doubt under pressure from their constituents—and blame the Government for not giving public money to Clerkenwell, founding themselves on a fancied claim of the Magistrates of Middlesex to some surplus over the £186,000 which the Government had fixed as the value of the Clerkenwell site. The Government, however, are convinced that they have discharged their duty in the arrangement they have made. No reason has been given why the Post Office should not acquire this site for £100,000. In the interest of the taxpayers themselves the arrangement is a good one, for the reason that if the Post Office were compelled to look elsewhere for a site it would cost them £150,000 or £200,000. Taking all the circumstances into consideration it seems to me that it was obviously the duty of the Government to acquire the land.

*MR. FIRTH (Dundee): The speeches in which the right hon. Gentleman the Postmaster General introduced the Bill and the Home Secretary has supported it, have been remarkable. They have been remarkable for their absolutely unnecessary vigour of expression and denunciation. The Home Secretary has thrown out defiance to the House and the language of the Postmaster General was more vigorous still. We have heard from both of those Ministers the strongest condemnation of those who want money out of other people's pockets; we have heard much about confiscation and so forth. The Postmaster General went out of his way to speak in a manner which was not wise, if, indeed, it was courteous, of the London County Council, who had not dealt with the question at all. But surely all this excitement hides something that ought to be brought to light. In the first place, let us see what the other people's pocket argument amounts to. It amounts to this, that 100 years ago people whom we represent to-day paid out of their own pockets for the site and the building of the prison. [An hon. MEMBER: So did every other county.] That is an observation that has not the slightest bearing on what I am saying, because we are dealing with what happened in Middlesex. What the people of Massachusetts, or of the county that has the privilege of being represented by the hon. Member did is perfectly immaterial to this argument. The ratepayers of Middlesex paid for this site and building, and in 1877 the prison was taken from them by the Government. How about confiscation so far as that was concerned? At the time the hon. Member for the Horsham division of Sussex said it was a serious matter of confiscation, and a number of hon. Members on that side of the House strongly denounced what we are now told was a bargain that we agreed to. The property was taken from the ratepayers of Middlesex without any sort of compensation whatever. [*Cries of "No, no."*] I mean compensation paid down. Of course there was what was understood to be an equivalent, namely, the maintenance of the prison. But there is not an hon. or right hon. Gentleman who will suggest it was ever anticipated that Clause 34 of the Prisons Act would apply to the case which has arisen in London.

The Home Secretary read a certain portion of the clause and then stopped. He never suggested to us how it was he had not carried out the definite provision of the clause which says "it shall be sold." It has not been sold. Suppose it had been put up for public sale what would have happened? I apprehend some one representing Londoners would have been willing to bid for it and to turn it into an open space. The Home Secretary was correct in saying he was a trustee. That was distinctly stated by Mr. Selwin Ibbetson on the Prisons Bill; he said that so long as the prison continued to be used as such so long would it remain in the name of the Home Secretary as the trustee for the county. Well, that is the position, and I really do not see why the Home Secretary should ask the House to sanction a proceeding which amounts to an evasion of the Act. He has not told us how it is the Post Office entered into possession of this place a couple of years ago; on what possible legal ground did they do that? Is this not a case in which the Government have set at naught the Statutes altogether and have disregarded the interests of the people? On the 24th of February, 1887, the Home Secretary said—

"Any proposal either from the Metropolitan Board of Works or the Vestry for the retention of the site of Coldbath Fields Prison as an open space will receive my careful attention."

Will any such proposal receive his careful attention now? I suppose it will be considered that matters have gone too far. What is the price the Post Office have paid for the place? Is there any price to be paid? A transaction of this kind ought to be carried out in strict accordance with the law. As a matter of fact the Post Office have obtained possession of the site without a line of law to support them. This is certainly not a case in which the Government have any right to talk about confiscation and outrage. I hope the concessions of Members for London interested in the preservation of its rights and open spaces may ultimately succeed in bringing such pressure on the Government as to make them either alter the Bill or withdraw it altogether.

MR. COCHRANE-BAILLIE (St. Pancras, North): I imagine we are all disposed to say that all proper regard should be paid to the feelings of the Local Authorities in a matter

of this kind, but my hon. Friend the Member for North Islington has, I think, estimated the opinion of the Vestry of Clerkenwell at its true value. He has shown us that it is only a few years ago the Vestry expressed a contrary opinion to that they express now; secondly, that the Vestry of Clerkenwell are not of sufficient importance to be considered in a matter which deals with a far larger neighbourhood than that of the very limited district of one the Vestry presides, and also that the Vestry of Clerkenwell are not a body directly concerned in this matter, and that originally those who had to deal with this question were the Magistrates of the County of Middlesex. It was evident from what fell from the Home Secretary that the Post Office had made a very good bargain indeed. The last statement made was, that if the Post Office had not got this site they would have had to pay £150,000 or £200,000 for some other site, and, therefore, the Post Office were only too glad to obtain this site on such advantageous terms. As I agree that the Post Office should not be regarded as a mere money making concern, that after proper attention has been paid to its immediate affairs, the public interests in other matters should be considered, and, more particularly, as I understand that the proposed extension is solely for the carrying on of the Parcels Post, which is, in the opinion of some, altogether extraneous to the proper functions of the Post Office, I hope we shall be able to force the Government to accept some compromise in this matter.

*MR. PICKERSGILL (Bethnal Green, S.W.): I hope I shall be able to convince my hon. Friends on this side of the House who represent country constituencies that the Representatives of London are by no means so unreasonable and grasping as they are said to be. The Home Secretary appeals to the bargain made in 1877. He says that in 1877 the State took over as going concerns, if I may use the term, the prisons of Middlesex, subject to the burden that they should maintain the prisons and prisoners, and subject also to the condition that if any of the prisons were discontinued they should, upon certain terms, revert to their original owners. The rational and logical conclusion of the Home Secretary's speech was that the Government

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should insist upon the carrying out of the bargain upon which they rely. That is exactly what the Government do not do. They come to the House and ask us to revise the bargain which was then entered into. If the bargain is to be re-opened I submit there are certain equitable considerations which have arisen since the year 1877, and which may well be taken into view. The burden which the State undertook in 1877 has been by no means so onerous as was at the time anticipated. In 1877 the daily average of prisoners to be maintained was over 20,000, whereas last year it was only 15,000. Therefore, the State's part of the bargain has been one-fourth lighter than could be at the time fairly anticipated. That is an equitable consideration which applies, I admit, not to the Metropolis only, but to every case in which a prison is discontinued, and where the Local Authority puts in a claim for the use of the site of the prison. A word, however, in reference to the particular case of Clerkenwell Prison. The Home Secretary says the Act of 1885 has nothing whatever to do with the question. But the Act of 1885 amounts to a declaration on the part of the Government of that day, which is for all practical purposes the present Government, that it is desirable that the site of this prison should be used for a public metropolitan purpose. It is provided—

"That the Justices of Middlesex may, if they think fit, sell and convey the prison to the Metropolitan Board of Works at a fair market price."

But the Justices of Middlesex were not at the time any more than now the owners of the site. The State was the owner of it, and, therefore, if the present contention of the Government is true, when with a great flourish of trumpets they put forward the Bill of 1885 to facilitate the Housing of the Working Classes, they must have known this site could not be secured for that purpose except at a price which was double its commercial value. There can be no doubt in any candid mind that the intention of the Government at the time was not to insist upon the statutory price then which now they insist upon. Since then the Post Office has put in a claim for this site, and if the Post Office had not done so, I believe the Government would have been willing to do now what I submit

they were ready to do in 1885. We are really reduced to the position which my hon. Friend stated a little while ago, namely—that the Post Office, a large money-earning institution, is to have the advantage, and the people of London are to go to the wall. May I contrast the action of the Government in this matter with what it is believed very generally out of doors is intended to be their action with reference to Newgate. It is commonly believed that the Government are entertaining the idea of handing over the site of Newgate to the Corporation of the City of London upon condition that the City will erect upon a portion of the site a new Criminal Court. What is the difference in principle between handing over the site of Newgate to the Corporation upon such terms and handing over the site of Clerkenwell prison for an open space for the people? I hope the Government will assent not only to the appeal which is made to them from this side of the House, but to the great pressure which has been put upon them by their own supporters, and will not only do a gracious act, but an act which will very materially contribute to the health of the Metropolis.

GENERAL GOLDSWORTHY (Hammersmith): I should like to give the reasons why I intend to support the Amendment. After hearing the speech of the hon. Member for East Finsbury the other night, I went down to the neighbourhood of this prison. I looked about for open spaces. I found a great number of industrial dwellings, seven storeys high, built or in process of construction, but the open spaces were very few. I noticed two small squares, in the case of one of which there was written up—"This not a playground." The Board School playgrounds were locked up—it was Saturday—and indeed there was no place whatever where the children of the neighbourhood could play. I consider it the duty of Her Majesty's Government to do what they can to help the people in that locality; certainly they ought not to step in and prevent the site in question being turned into an open space. The provision of proper means for the recreation of the people is an important matter from a military point of view. In 1883 only 396 per 1,000 of our recruits were rejected, whereas in 1887 the number had risen to 456. I attri-

the suggestion that the people of the London County have any claim to the property because they originally bought it in their predecessors bought it, because with indifference they did so they held the property subject to the most onerous trusts of which the nation has relieved them. That being the case, how is the matter altered by the Housing of the Working Classes Act, 1885? I confess I do not look upon that Act, or rather on the circumstances attendant upon the origin and inception of that Act, with any very great favour. The Act originated in the excitement which was produced by an article in a sensational newspaper, and by rival articles which were written by the right hon. Gentleman the Member for West Birmingham and the present Prime Minister. Each wrote an article in a review in connection with this outcry, and the Royal Commission, who were looking about for some means of solving the problem, were struck with the happy thought that, at all events, there were some sites in London which might possibly be appropriated for the relief of congested districts, and their Report was partly embodied in an Act passed immediately before an appeal was made to the country in 1885. I think we should be justified in looking upon that Act with extreme jealousy, but I am glad to say a provision was inserted in the Act of sufficient strength and vigour to bar any such pretensions as this on the part of the Metropolitan Members; that the Metropolis should only acquire sites at a fair market price. If the London County Council is disposed or was disposed to give a fair market price for this Clerkenwell site—and I look on a fair market price as that which it would fetch in the open market—they had the right to claim it; but they did nothing of the kind. They put forward a sort of claim upon the recommendation of the Commission that the working classes of London should be relieved at the expense of the Imperial taxpayers. They did not use their claim of pre-emption at a fair market price and I do hope the House will resist altogether most strenuously, most persistently, claims of this kind. As I said at the commencement of my remarks, the representatives of London are agreed that it is desirable to make this claim on behalf of their constituents, but do not let us be betrayed

Mr. GOSNOLDY (Clerkenwell Division). When comments are made by Metropolitan Members of which there are now so many in the House, it is not surprising for hon. Members who do not sit for any part of London to watch with some jealousy the contentions put forward. The question is supposed to rest upon the circumstance that the ratepayers of Middlesex bought the site of Coldbath Fields Prison and paid for what was erected thereon. I observed that the hon. Member for Bethnal Green abandoned that position and dwelt entirely upon the language of the Housing of the Working Classes Act, 1885. It is worth while to devote a little attention to the preliminary contention that, because the ratepayers of Middlesex bought the site and erected the prison they are entitled to have the site restored to them. The site of the prison was taken from them by the Act of 1877 upon perfectly well-understood principles. Up to that time the county of Middlesex was charged with the duty of maintaining its prisons. The Government of the day thought that the prisons should be taken from the Local Authorities and handed over to the country. The policy was much contested at the time; it was opposed very strongly, as I remember well, by the late Mr. Rylands. The localities were discharged from the duties attached to the prisons. There was a fair counterbalance of interest. Although, no doubt, valuable property was taken, a most onerous duty was at the same time removed from the locality. As to the fairness of the bargain there was no question at the time, neither was there any question as to the fairness of the provision that, in under certain circumstances, the prisons were no longer wanted the sites might be restored to the original owners at a fixed price. It is conceded in this discussion that the price so named is paid down so that the right of pre-emption altogether of themselves exists a promise of no value whatever. I cannot altogether

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into a cession or partial cession of this claim at the expense of the country at large. I remember when the Bill was in progress my right hon. Friend immediately behind me was full of extreme jealousy of this provision. I shared that jealousy, and did what I could at that time to insert some safeguard, and I think that in the outcome of the Bill there was a sufficient safeguard in this provision. But do not let us weaken it any further, let us abide by it as it is. We put into that Act a provision, rather a curious thing to put into an Act of Parliament, that the Metropolis might have pre-emption at a fair market price; but the Metropolis does not make that offer; they want the land at a great reduction from the market price. The Metropolis never took steps to acquire the site at the market price, and all the rest that has been said and done does not touch in the slightest degree what is the essential point to be considered, which is, shall the country make any sacrifice to accommodate what are the natural feelings of representatives of London? I, at all events, shall heartily support the Government in this matter.

*MR. LAWSON (St. Pancras, W.): I am sorry that the right hon. Gentleman who has just spoken has thought it necessary to insinuate that the Metropolitan Members are acting together from the lowest motives of Party politics. The Home Secretary, with dramatic emphasis, said that in Birmingham they never saw the light of the sun. Well, we are not prepared to say that that is the normal state of our existence. But at the same time we do believe that the provision of open spaces for reasonable recreation and exercise easily accessible are essential to the health and happiness of our overcrowded population. The opinion of the London County Council on this point has been well expressed by the Petition of the Vestry of Clerkenwell to the Metropolitan Board of Works in 1887, in which the following facts are set out:—

"The parish of Clerkenwell, containing nearly 70,000 inhabitants, consists of 380 acres, showing an average of about 785 per acre, whilst in St. George's, Hanover Square, the population per acre is about 85, or Paddington 91, Kensington 74, Hampstead 20, and Hackney 47.

"That Clerkenwell is therefore, and from its situation must always continue to be, a densely populated parish, and is surrounded by

other crowded parishes, for instance, St. Luke's, Holborn, and St. Pancras.

"That there are at the present time a great number of model dwellings in the parish containing over 1,200 tenements, providing accommodation for a population of between 6,000 and 7,000, with no provision for open playgrounds for children except in the Peabody Buildings.

"That other parts of London have their open spaces, whilst the crowded district of Clerkenwell is absolutely without any such open space, beyond the several ordinary squares in the parish, and the inhabitants have a long way to go to reach an open space such as most other parts of the Metropolis enjoy."

We hold that on this subject the Metropolis should be treated as a whole. I may point out to the Chairman of Committees that we have never had a chance of purchasing this land at a fair price for an open space. I believe a large section of the London County Council would make an effort to give a fair market price for the land, but all I wish to point out is that they have never had the opportunity. As a matter of fact, it was offered to the Metropolitan Board of Works for other purposes, and at a price that is admitted by the Home Secretary and the Postmaster General to be utterly ridiculous, having regard to the commercial value of land—£120 per acre. I have been looking through the Debate on the Prison Act of 1887, and I observe that Lord Cross remarked that Local Authorities in having power to repurchase at £120 per cell must take the rough with the smooth. It is peculiarly unfortunate that in London there is nothing but rough, and so the arrangement presses very unjustly upon us. The right hon. Gentleman (Mr. Courtney) said that the nation relieved the Metropolis from a trust, but it really relieved the Metropolis only of a property. The trust was fulfilled for a very short time—from 1877 until 1885. This is a piece of sharp practice of which the inhabitants of London are the victims, more worthy of a pettifogging attorney than of Her Majesty's Government. I know it is said that a Government Department will do anything, but I should have thought that Her Majesty's Government would have shown more consideration to the inhabitants of London in this respect, considering that the Bill is one of indemnity to them for certain illegal transactions in which they have engaged. The Home Secretary has himself admitted that an astute lawyer might find out that the Government had

no title, and I gathered that that is his own opinion. I know that in August, 1887, Parliament sanctioned the outlay of £14,000, but Parliament never gave any sanction, in any form, to the proposal that the Post Office should take this site. Really, the Postmaster General tried to anticipate the decision of Parliament, and now thinks he can turn round and appeal to the House on account of the great business of the Post Office. Of course we all appreciate the administrative ability displayed by that Department, but that has really nothing to do with the discussion. Has compulsory powers to go anywhere for premises? We only now ask that if the Government are not prepared to admit that the Metropolis has been treated with unfairness, at least they should revert to the position they occupied in 1885, and which the Home Secretary seemed to hold in 1887, when he said he would consider whether it would not be possible to offer facilities for the provision of an open space on the site. At least the County Council should have the chance of competing with any other purchaser in the open market, in order that they may devote the land to Metropolitan purposes. Are the Government still prepared to resist this claim? They assume that we ask this as a free gift or as a matter of charity; but all we do is to base our claim upon the language of the Prisons Act. I may point out that Members for London are practically unanimous. [*Cries of "No!"*] Well, then, I will say almost unanimous; the Press of London is unanimous; and the County Council have unanimously petitioned against the Bill, and in favour of devoting this site to the purpose of an open space. It should be recollected, when hon. Gentlemen talk of this being an Imperial asset, that two years ago, when the Government had to deal with the two Royal Parks of Battersea and Victoria, they might equally have been considered as Imperial assets; but they did not then ask London to pay the full market price. An hon. Friend suggests to me that they might equally have claimed to set up Post Office buildings in Battersea and Victoria Parks, but they did not do anything of the kind. The First Lord of the Treasury and the Chancellor of the Exchequer are both Metropolitan Members, and I appeal to them particu-

Mr. Lawson

larly, and I ask them, on behalf of the inhabitants of the Metropolis, if some measure of justice could not be dealt out to us. We do not ask for anything more; we do not ask for charity, but for equity, in the treatment of London in regard to this matter.

THE SECRETARY TO THE TREASURY (Mr. JACKSON, Leeds, N.): There are a few words I should like to say on this matter, and before I proceed to say them, I should like to correct one or two misapprehensions that, from the statements we have heard, appear to be entertained. The House has almost been led to believe that the Government before dealing with this property did not afford the Local Authority the opportunity of purchasing it. The hon. Member for St. Pancras (Mr. Lawson) has told the House that the County Council are anxious to have the opportunity of acquiring the property, but that they never had had the opportunity. Now the hon. Member knows perfectly well that the Metropolitan Board of Works to which the London County Council is the successor was given the opportunity of offering for this site, but declined it.

*Mr. LAWSON: At the rate of £120 per cell?

Mr. JACKSON: The Board of Works had the opportunity; and I may point out that the Board of Works made no counter offer, they declined altogether to purchase the land either for Artizans' Dwellings or for an Open Space. It is not fair, therefore, to lead the House to believe that in this matter the Government acted precipitately or without giving the fullest opportunity to the Local Authorities, and particularly to the Middlesex Justices to acquire this property if they desired to do so, for any public purpose. But the hon. Member comes forward now with this demand, when he knows and the House knows that the Government have spent upon this property a good deal of money, which must, if this land is now devoted to other purposes, be wasted and thrown away. It appears to me it is rather too late for hon. Members to come forward and make this claim now that some £40,000 or £50,000 of the taxpayers' money has been expended, and simply because somebody is seeking to do something, that opportunity was offered for doing before, but declined. The House knows perfectly well that the

Government before entering upon the utilisation of this site at all, came to the House and asked for a Vote of money in the Estimates to convert this prison site to its present purpose. The House was completely informed as to the Government's intention, and how they were going to deal with this land, and if the House had had a desire to stop the utilisation of the land for the purpose proposed, there was full opportunity for doing so. But not only did the House not do so, but the House expressed approval of the Government's intention. I remember how, from both sides of the House, the Government were applauded for the transaction they were entering into, and my hon. Friend the Member for Walworth (Mr. Isaacson) was one of the Members who complimented the Government on their action, and the admirable manner in which they were dealing with the property, and my hon. Friend pointed out with great force that if the Government had been obliged to purchase in some other part of London they would have had to pay twice the amount that this site cost. So I really do not understand how it is my hon. Friend deserts the Government now when formerly he applauded our action. In addition to what my right hon. Friend the Home Secretary has said about the way in which the State acquired this property, and the consideration it gave for it, I would emphasise what has been said by the Chairman of Committees by pointing out that the taxpayers took over a burden which, as regards Middlesex, represented an annual charge at that time of £65,000. Now I ask the hon. Member for St. Pancras, who takes a great interest in this subject, what would be the capitalised value of £65,000 a year, of which the Middlesex ratepayers were relieved at that time? If he will put the capitalised value of this against the value of the property the Government got, he will find the Government paid amply for what they got. The hon. Member talks about the rough and the smooth—

*MR. LAWSON: I quoted an expression used by Lord Cross.

MR. JACKSON: Yes; but the hon. Gentleman quoted it with approval, and went on to say that the metropolis could only get the rough. Well, the fact is, that the Middlesex ratepayers have taken the smooth and left the

rough to the Government. There were three prison sites, Clerkenwell, Cold-bath Fields, and Westminster. Now the Westminster prison when it was closed was offered to the Middlesex Justices, and the Middlesex Justices saw that the fixed rate of £120 per cell, though a high price, did not represent the value of the site, and consequently the Middlesex Justices, in the exercise of their option, bought the site—giving £68,000 for it. And I understand upon good authority that it was a very good transaction, and that the land was subsequently sold for something like £120,000. At any rate, I know that the Postmaster General came to the Treasury a short time ago with a demand for £30,000 for a very small part of the site of what used to be Tothill Fields Prison; therefore I say it is not the Government who have refused to take the rough with the smooth—the Middlesex ratepayers have got the benefit of the smooth, leaving the Government with the rough. Now, I am not going into the general question at any length. The position is this: it has been abundantly proved that the Government are Trustees in possession of this property on behalf of the taxpayers of the country, and to ask the Government to give this property for the purpose of local experiments in London is practically equivalent to asking the Government to come down to the House and ask for a Vote for £185,000 for Metropolitan purposes. It is only a short time ago since the Government of the day were beaten in an attack led by the hon. Member for Northampton (Mr. Labouchere) on the question of local parks, which, it was held, ought to be maintained at the cost of the local ratepayers. The consequence was that the Government brought in a Bill to give effect to the decision of the House of Commons, and to throw the charge of Battersea and Victoria Parks on the Metropolitan ratepayers. But the hon. Member for St. Pancras says the Government did not then charge London with the capital value of the Parks, and I understand him to say that, as the charge is not justified in the one case, so it is not in the other.

*MR. LAWSON: I was pointing it out as a precedent. We are quite willing to maintain the charge if the land were handed over in the one case as in the other.

MR. JACKSON: The House of Commons a short time ago expressed an opinion on the general principle and the general policy to be followed, and I do not believe for a moment that the House of Commons has changed the opinion expressed on that occasion. I should be extremely surprised if it were so. I can understand hon. Members' desire to get the benefit for their constituents, and it would no doubt be a very good thing to get this, but I would ask them to look a little beyond their own constituencies and to take a broader view. There is a great principle involved, a great principle at stake, and I say it is the duty of Metropolitan Members, if I may venture to use the phrase, to look not only at the interests of their constituents but to look beyond and consider how the principle may be applied against them on some future occasion. Let them hold fast to what is a sound principle in dealing with such property. I should like to quote the opinion, which is on record, of the hon. and learned Member for Stockton (Sir Horace Davey), in a discussion in this House, and curiously enough in reference to this very prison site. The hon. and learned Member said he hoped the Government would persist in the contention that they could not deal with State property or public property in this manner—meaning by giving it away or selling it at less than the full value—without injustice to the great body of taxpayers. The hon. and learned Gentleman objected to this clause in the Housing of the Working Classes Act, to which reference has been made, and he contended that the Government had no right to appropriate the property of the nation to the benefit of the people of London or of any other part of the United Kingdom. Prisons are being closed in various parts of the kingdom, and it is the bounden duty of the Government to make the best use of the sites, and get the best price for them they can. The hon. Member for Bethnal Green (Mr. Pickersgill) has quoted with approval, with which I entirely sympathise, statistics showing the reduction in the rates of the prison population, and I think he rather sought to argue from that that the Local Authorities have not benefited in this case to the extent which has been represented, inasmuch as the burden to-day received has been less than at the time the prisons

were taken over. There are three principal causes for our being able to close these prisons. One is a slight diminution in the general prison population.

MR. PICKERSGILL: Twenty-five per cent.

MR. JACKSON: Yes, I know, Sir; but the hon. Member in making his calculation takes into account the convict population, and the main reason why the so-called local prisons have been closed is that there has been a very large diminution in the long-sentence prisoners, and we have been enabled to utilise prisons which were formerly convict prisons only for short-sentence prisoners as well. Another reason is that in the neighbourhood of London the Government have built a gaol with 2,400 cells, at a cost of £300,000, which accommodates both long-sentence and short-term prisoners. Outside, therefore, of the diminution of long-sentence prisoners, the additional accommodation provided has enabled numerous local prisons to be closed. I would venture to point out that if the House agrees to the Second Reading of this Bill it will be referred to a Select Committee, and Metropolitan Members will be able to make any representations they desire to that Committee. I think that is in itself sufficient justification for asking the House to read the Bill a second time. I can assure the House that the Government have as much desire as hon. Members to provide open spaces for the benefit of the artisans and toilers, not only in the Metropolitan, but in the crowded towns of the North. In my own constituency of Leeds I could find many districts which would compare unfavourably with Olerkenwell. I trust the House will believe that the Government have dealt with this matter solely and simply in the interest of the taxpayers. At the time this arrangement was made there was no competition for the site, and it was impossible to sell it for a price considered to be adequate, and the Government are convinced that in what they have done they have not only acted wisely, but that the transaction is an extremely economical one in the interest of the taxpayers.

MR. R. CHAMBERLAIN (Islington, W.): It is always a pleasure to listen to the right hon. Gentleman the Secretary to the Treasury. He is always so reasonable, so fair, and so courteous to those who differ from him, that at all

events we can always agree to differ. I regret that the right hon. Gentleman the Home Secretary in the course of his rather extraordinary speech should have thought fit to launch against those who object to this Bill accusations of spoliation, and to say that they are really in favour of the infraction of the law. His charges were chiefly made against the Metropolitan Members, the majority of whom are supporters of the Government. His speech was filled with sneers at the philanthropic and benevolent ideas of those who believe it to be for the benefit of the population that open spaces should be maintained in London, and he wound up with an extraordinary mis-statement. He said this site was worth £186,000, and he repeated several times over that it was that sum of which it was proposed to rob the taxpayers, whereas one of his colleagues admitted that the value of the site was something like half that. With regard to the terms of the acquisition of the prison site by the Government, I think there is some misapprehension. I am in a position to speak tolerably accurately about it, because whilst I have read up the Debates in this House, I was at the time Chairman of the Financial Committee in Birmingham, and was watching the Measure to see what it would do for Birmingham, which possessed a prison of its own. In the Debates in the House and in the country on the subject the sole question taken into consideration was that the Government took upon itself the burden of maintaining the local prisons. The County Members objected, not because of the sites, but because of the centralisation proposed. It was never contemplated at that time that the Local Prisons were going to be abandoned, and that the Government would come in for the valuable inheritance of the sites. It is said there is a desire on the part of the Metropolitan Members to obtain undue aid from the taxpayers in relief of the burdens of the London ratepayers. I entirely repudiate that idea. I cheerfully supported the Government in the idea that London should bear the expense of its own parks. I think, however, that these prison sites have been paid for by the ratepayers, and if they are no longer required for the purpose for which they were acquired, the taxpayers have no property in them. It is

not a question of London alone. The same principle applies to Manchester and Sheffield, and any other town. Although technically and legally no doubt the Government are in the right, the sites themselves were no part of the consideration in the arrangement that was made, and I say that as the prisons are no longer required, the sites ought to revert to the localities, when the localities are so much in need of them as in the present case. It seems a little hard that we should be told that it is impossible for the Government to restore this site to the ratepayers of the Metropolis because it would be illegal, and yet they come to the House with this Bill in order to indemnify themselves against the illegality of building on a site to which they have no right. Of course it is only done in the interests of the public service, but I think that if they had the desire which their Chief, Lord Salisbury, has over and over again expressed, to do something to relieve the hard lot of the dwellers in towns, they would have put forward a Bill of a different kind in order to maintain this land as an open space for London.

MR. RADCLIFFE COOKE (Newington, W.): The conciliatory speech of the Secretary to the Treasury shows that the Government have not been insensible to the almost universal expression of opinion on both sides of the House. The hon. Gentleman said that in the Estimates two years ago the appropriation of this site by the Post Office was considered and approved by the House. Surely that could hardly be the case; surely the situation as laid before us to-night could hardly have been laid before the House then, or it would not have been necessary to come before the House with this Bill of indemnity, as it has been called. No doubt the situation is a rather awkward one. The Post Office have been put in possession of this site, and have already spent some thousands of pounds on it, and begun to erect a building, although the title to the land is so doubtful that an Act has to be passed to ensure it to them. I am informed that by no means the whole of the site is to be occupied with buildings. If, therefore, the speech of the Secretary to the Treasury means that something may result from the reference to the Select Committee, and that the scheme may be so altered

MARRIAGES (BASUTOLAND, &c.) BILL
[LORDS]. (No. 352.)

Considered in Committee.
(In the Committee.)

Clause 1.

Committee report Progress; to sit again to-morrow.

WINDWARD ISLANDS APPEAL COURT
BILL [LORDS]. (No. 353.)

Read a second time, and committed for Thursday.

INTERMEDIATE EDUCATION
(WALES) BILL. (No. 349.)

Order read, for resuming Adjourned Debate on Amendment proposed [29th July] on Consideration of Bill, as amended.

And which Amendment was, in Clause 18, page 7, line 35, after the word "higher," to insert the words "or other."—(*Sir William Hart Dyke*.)

Question again proposed, "That those words be there inserted."

Debate resumed.

Question put, and agreed to.

Other Amendments made.

Bill read the third time, and passed.

SETTLED LAND ACTS AMENDMENT
BILL. (No. 275.)

Considered in Committee, and reported; as amended, considered.

Bill read the third time, and passed.

COTTON CLOTH FACTORIES BILL.
(No. 294.)

Read a second time, and committed for Thursday.

STEAM BOILERS INSURANCE BILL.
(No. 50.)

Order for Second Reading read, and discharged.

Bill withdrawn.

TRUST COMPANIES BILL [LORDS].
(No. 345.)

Order for Second Reading read, and discharged.

Bill withdrawn.

IRISH SOCIETY AND CITY COMPANIES SELECT COMMITTEE.

Adjourned Debate on the Motion for the discharge of Mr. J. Morley from this Committee.

Mr. SEXTON (Belfast, W.): The Government have kept this notice on the Paper for a week after five Members of the Committee have seceded from it and formally separated themselves from it. I now find that the remnant of the Committee who have continued to sit after the withdrawal of hon. Members on this side have now performed the "happy despatch." They have instructed their Chairman to report to the House on the evidence which they have furtively taken; and as this evidence is of no value, the question is entirely unaffected, and remains to be dealt with by a new Committee. When the new Committee comes to be appointed, care will have to be taken that the inquiry is begun anew.

Order postponed.

M O T I O N S .

CHARITABLE TRUSTS BILL.

On Motion of Mr. Rathbone, Bill to amend the Law relating to Charitable Trusts, ordered to be brought in by Mr. Rathbone, Sir John Kennaway, Mr. Thomas Ellis, Viscount Wolmer, Mr. Cozens-Hardy, Mr. Richard Power, Mr. Howorth, and Mr. Bryce.

Bill presented, and read first time. [Bill 359.]

REGULATION OF RAILWAYS (NO. 2).

On Motion of Sir Michael Hicks Beach, Bill to amend the Regulation of Railways Acts, and for other purposes, ordered to be brought in by Sir Michael Hicks Beach and Baron Henry de Worms.

Bill presented, and read first time. [Bill 360.]

TRUST FUNDS INVESTMENT BILL.
(No. 290.)

Lords Amendments to be considered upon Thursday, and to be printed. [Bill 361.]

FACTORS ACTS CONSOLIDATION BILL.
(No. 80.)

Order [27th May] that the Bill be committed to the Standing Committee on Trade, &c., read, and discharged.

Bill withdrawn.

House adjourned at a quarter before One o'clock.

HANSARD'S PARLIAMENTARY DEBATES.

No. 16.]

SIXTH VOLUME OF SESSION 1889.

[August 8.

HOUSE OF COMMONS,

Wednesday, 31st July, 1889.

CRIMINAL LAW AND PROCEDURE (IRELAND) ACT, 1887 (IMPRISON- MENT OF MEMBER).

MR. SPEAKER acquainted the House that he had received the following Letter, relating to the imprisonment of Dr. Tanner, a Member of this House:—

Tipperary,
29th July, 1889.

Sir,

We beg leave to inform you that we have to-day convicted Dr. Chas. K. D. Tanner, a Member of the House of Commons for Mid Cork, of the offence of assaulting County Inspector S. H. Stephens, of the Royal Irish Constabulary, while in the execution of his duty, under "The Criminal Law and Procedure (Ireland) Act, 1887," and have sentenced him to one month's imprisonment, and that he is at present in the prison at Clonmel. And further, that Dr. C. K. D. Tanner having outrageously misbehaved and wilfully insulted the Magistrates during the hearing of the case, the Court adjudged and ordered that he should find bail to be of good behaviour, and in default of so doing he should be imprisoned for three calendar months, and Dr. C. K. D. Tanner has refused to give bail as ordered by the Court.

We have the honour to be,

Sir,

Your obedient servants

J. VESBY FITZGERALD, } Resident Magistrates.
HENRY BRUEN, }

The Right Honble. the Speaker
of the House of Commons.

VOL. CCCCXXXVIII. [THIRD SERIES.]

QUESTIONS.

CEYLON STATISTICS.

SIR EDWARD WATKIN (Hythe): I beg to ask the Under Secretary of State for the Colonies why the Returns of "vital statistics," in Ceylon, formerly published as a supplement to the *Gazette*, were stopped in 1887; whether it is the case that the deaths recorded in these Returns under the item of "deaths by starvation," were mainly produced by the eviction of the cultivators from ancestral holdings for non-payment of rent or tax; whether these evictions have been and are now carried on by thousands in a year, and invariably followed by starvation and death; and, will he grant a Return of the number of evictions and deaths from starvation for each year, 1869 to 1889, inclusive?

THE UNDER SECRETARY OF STATE FOR THE COLONIES (Baron H. de Worms, Liverpool, East Toxteth): It is not known why the statistics alluded to in the first paragraph of the question, which were printed in 1887, were not again printed last year in the *Gazette*. They are, no doubt, published in the Administrative Reports. As regards the second paragraph, it is not known here that the deaths from starvation, which were three in 1886 and nine in 1887, were the result of evictions. As regards the third paragraph, the Governor ascertained that the author of this grave statement could adduce no proofs in support of it, and it is believed to be at least a very gross exaggeration. The Governor is causing a searching inquiry to be made into the circumstances and results of the evictions, and will be requested to cause the

Return mentioned in the last paragraph of the question to be added to the Report.

SIR E. WATKIN: Can the right hon. Gentleman say when the information is likely to be received?

BARON H. DE WORMS: There will be no delay whatever in obtaining the information.

ORDERS OF THE DAY.

PRINCE OF WALES'S CHILDREN BILL. (No. 358.)

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. W. H. Smith.*)

*MR. WALLACE (Edinburgh, E.): In rising to move that the Bill be read a second time on this day three months, I feel that in some sense I am bound to meet the objections of those who having expressed their own minds upon the question naturally feel that the subject has been exhausted. My apology is the great importance of the question itself. I know it has been said that this is a subject of secondary consideration. I am not of that opinion. In spite of a remark the other day by one of the Members for Birmingham that there is something in the nature of Nihilism in representing the opinion of the people with a capital P, I venture to say from the knowledge I have of the people, whether with a small P or a great P, that this is a matter that creates great interest among the masses of the population. We are brought face to face with a critical stage of the great historical-political problem of whether and how an Hereditary Monarchy can be reconciled with Democratic Government. It is a mistake to suppose that the Monarchical system is necessarily bound up with the aristocratical system—and that the one stands or falls with the other. I am not of opinion that the reconciliation of the Monarchical principle with the democratic is impossible; but whether that be so or not, I am certain that the problem is not an easy one, and that we are justified in keeping it before the public for a continuance of time greater than that which has already been done. But I have a personal reason for continuing the discussion. I have not

yet engaged the attention of the House upon this matter; but I desire, as a Scotch Member, and as one representing the ancient historical Metropolis of Scotland, where Royalist traditions still linger, to give my opinions upon this matter. During the past and the present week, both in the House and in Committee, I endeavoured to catch the eye of the Chair. Probably there is no more difficult process known to the Ophthalmic Art. I have hitherto been unsuccessful in my efforts. The other evening I thought I had my opportunity in the prandial period which the custom of the House assigns as the chance of the undistinguished Member. But the butterflies that bask on the Front Benches never seems to bestow a thought on the caterpillars behind them; and the right hon. Member for the Bridgeton Division (Sir G. Trevelyan) relegated me to that sickness of heart which is the proverbial result of "hope deferred." Further, Sir, I feel myself in a position which compels me to strike out for my own hand, seeing that I am standing here in the somewhat tragic, and certainly unarcadian situation of a sheep without a shepherd. I generally listen to the right hon. Gentleman the Member for Mid Lothian (Mr. Gladstone), not only with that reverence which is due to his unique personality, but with the satisfaction which arises from hearing truth which commends itself to my own mind, stated with matchless eloquence and force. But on the present occasion I found myself bereft of that happiness, and I heard the right hon. Gentleman cheered, not from this side of the House, but by hon. and right hon. Gentlemen opposite. I confess that the incident pained and bewildered me in a manner that I am not able adequately to describe. And when it came to the right hon. Gentleman's speech being described by the Under Secretary for India and the Chancellor of the Exchequer as magnificent, a horrible suspicion began to haunt me that our illustrious Leader must have made a mistake. Turning myself to his lieutenants I found myself involved in a "confusion worse confounded." I heard them wriggling over distinctions in comparison with whose subtlety the distinction between "Tweedledum" and "Tweedledee" swelled into Atlantic breadth. I found them declaring that while it was

Baron H. de Worms

the height of insult to say "nay" to the Queen in the House on Friday, it was the pink of politeness to say "no" to her in Committee on Monday—a question of deportment more suitable to the intellect of a dancing master or a member of the school of the late Mr. Turveydrop, than that of a sagacious statesman of the House of Commons. I have further taken upon myself to prolong this discussion because I desire, if possible, to draw from the Members from Ireland some expression of opinion that will be satisfactory to our Scotch people. One of the most remarkable features in this Debate has been the virtually absolute unanimity with which the Members from Ireland have supported the Government of Her Majesty and the Coercionist Party. How is this? I see it stated freely in the Press that hon. Members from Ireland, although they agree in conviction with us, have supported the Coercionist Party and the Government in order that they may gratify the right hon. Member for Mid Lothian and may promote the cause of Home Rule by clinging closely to that right hon. Gentleman. Now, Sir, I, for one, feel myself unable to believe that story. In the first place, it can be no gratification to the right hon. Member for Mid Lothian to have the homage of insincerity; in the second place, it can do no good to the cause of Home Rule to become estranged from the Liberal Party; and, in the third place, knowing as I do the character of hon. Members from Ireland, I am unable to believe that they have been acting contrary to their own convictions. I cannot help thinking that in this matter they are moved by a belief that what the Government is doing is right, and that what the Liberal Party is doing is wrong. If I were to believe otherwise, in what position should we of the Liberal Party find ourselves? On many platforms, both in Scotland and England, I have maintained that some of the Representatives of the Irish Party in this House are actuated by a true spirit of heroism, and even of martyrdom. But while I believe that my hon. Friends are actuated by true conviction and by the best of motives in this matter I also think there is something that is due to us of the Liberal Party, who have stood by them cordially through thick and thin; who have been

boycotted and punished even to the extent that some of our Party are in prison at this moment for their sakes. Surely it is right, if they think we are wrong, that they should point out the error into which we have fallen, so that we may be guided into better ways. Why are the eloquent lips of the right hon. Gentleman the Lord Mayor of Dublin (Mr. Sexton) so silent in regard to his unfortunate brethren of the Liberal Party? Only nine days ago the hon. Member for the City of Cork (Mr. Parnell) accepted an invitation from the city which I have the honour to represent, and never in all its romantic history did it accord a more enthusiastic welcome than was given to the hon. Gentleman on that occasion. Scotland folded Ireland to its heart in the sublime embrace of international brotherhood. If the hon. Gentleman accepted that token of affection, surely it is only right that he should say something for the purpose of guiding us, when we have fallen into error, into the way which he himself approves, and which I have no doubt he is able to substantiate by argument. These considerations seem to me sufficient to justify my personal action in prolonging the discussion a little further, and I wish now to state briefly the position from which I feel myself constrained to disapprove of this Bill. I look upon the Measure from the point of view of a Constitutional but not a yellow-plush loyalty. I think it is calculated to do great harm to the position of the Crown, and to create something in the nature of estrangement between the Throne and the people. In view of the Constitution the Sovereign is the lawful and Christian protectress of her subjects. We have only to look to the Coronation Oath to see that that is a fair description of the Constitutional aspect of the question. I do not wish to press the Christian aspect too far, but taking it generally, I maintain that the Sovereign holds her position on the condition of devoting herself self-sacrificingly and incessantly, and among other things to the good of her people—like other parents, undertaking the duty of providing for the members of her family. If the Sovereign is in the possession of means to provide for her family, we are bound to assume that it belongs to her Queenly position and desire to make

adequate provision for them. The real practical question with the people is simply this: Is the Queen able to support her own family? We are told that we must not pry into the savings or the resources of the Sovereign. I believe that at the present moment it is impossible to do otherwise. Ministers have so managed matters, in the course of the discussion of this question, as to create an impression in the public mind that the Sovereign is amply able to discharge the duty of supporting her family. I have no intention of entering into details in regard to the past discussion, but I will give an inference which I think I am entitled to draw. I noticed that when the hon. Member for Sunderland (Mr. Storey) asserted that the savings of the Sovereign were a quarter of a million, the right hon. Member for Mid Lothian corrected him, and remarked that if he said that it was one half of that sum he would be nearer the mark. When the senior Member for Northampton (Mr. Labouchere) referred to information, in respect to the resources of the Sovereign, which had been given to the Committee, but withheld from the House, he merely said that the estimate of £3,000,000, which the hon. Member for Sunderland gave as the total savings of the Sovereign, was too large, but the hon. Member did not say that in such a tone as to imply that there was anything to prevent Her Majesty from making ample provision for her family. I am sure that the people of this country are ready to give all that is necessary to enable the Sovereign to perform fully and substantially the duties that are imposed upon her. The people of this country do not grudge the splendour which surrounds the Throne, but only those additions which are ridiculous and absurd. But when we ask for information on this vital point of the Sovereign's actual means how is it that we are met? We are either met with mysterious silence, or with vague and evasive statements. We are told that we have no right to know these particulars—that all we have to consider are the contractual obligations under which we stand towards the Sovereign. But even so, I do not think we ought to be bound by precedents, the youngest of which is 60 years old and created when

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the people in the large sense was not represented. Even in 1837, when Her Majesty ascended the Throne, the country was still being run practically in the interest of the aristocratic classes. The people have now come to their estate, and it rests with them to say whether they will ratify the acts of those who then professed to be their agents and trustees. If the Crown has profited by the action of unfaithful trustees, it ought not to take it ill that when the true beneficiary comes in a strict account should be demanded. In acting as they have done, I believe that the Government and their supporters have been debasing the true relations between the Sovereign and her subjects. They have been degrading the Sovereign to the position of a mere paid official who is more solicitous about her rights than her duties. They have been guilty, so to speak, of a double political blasphemy—namely, of placing the Sovereign before the people as an unnatural parent, who does not understand the happiness and duty of providing for her own offspring, and is content to throw them, as it were, upon the parish; a greedy Shylock—standing on the letter of her bond, insisting on her pound of flesh, but prepared to take an ounce less for prompt payment, though without prejudice. I believe that to be the real attitude of Her Majesty's Government in this Bill, and I have therefore no hesitation in taking upon myself the responsibility of moving its rejection.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Wallace.*)

Question, "That the Bill be now read a second time," put.

No Division being challenged, Mr. Speaker declared that the "Ayes" had it.

MR. PHILIPPS (Lanark, Mid) then rose to continue the Debate.

*MR. SPEAKER: Order, order! The "Ayes" have it.

MR. PHILIPPS: I rise to a point of order.

*MR. SPEAKER: What point of order?

MR. PHILIPPS: I wish, Sir, to call your attention to the fact that I was on

my legs at the time the Question was being put.

*MR. SPEAKER: That is not so. I distinctly saw the hon. Member rise after the Question had been put and decided.

Main Question put, and agreed to.

Bill read a second time, and committed for to-morrow.

POST OFFICE SITES [EXPENSES.]

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of all costs, charges, and expenses incurred by the Postmaster General in carrying into effect any Act of the present Session, to authorise the transfer of the site of the Cold-bath Fields Prison, in the county of Middlesex, to Her Majesty's Postmaster General.

Resolution to be reported to-morrow.

UNIVERSITIES (SCOTLAND) BILL.

(No 307.)

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

*MR. WALLACE: I wish to make one remark in regard to this Bill which I had not the opportunity of making when it was passing through Committee—namely, that I do not think it will work satisfactorily, owing to the inadequate nature of its pecuniary arrangements. I do not think I am exaggerating when I say that possibly one-fourth or one-fifth will be abstracted from the fund by the arrangements for extramural teaching and affiliated colleges. The Chancellor of the Exchequer, in referring to the subject, was careful to enlarge on the comparatively large salaries drawn by about 50 of the present professors; but he forgot to add that there are 50 professors whose incomes average only about £470, and that if they are to be raised to £600 according to the recommendation of the Commission, the amount of £6,500 will be at once chargeable on the fund; and that there will have to be added the cost of the new professorships, the assistant professorships, the endowment of new Chairs, and other matters recommended by the Commission. It will be found that the cost

of these, if carried out on the most moderate scale, will be £25,000, and if this be added to the amount for the salaries of the professors it seems to me to be impossible that £42,000 should meet all the charges. I have forgotten to include the arrangement for compensation, and when I look at all these matters it seems to me that the measure is in danger of shipwreck for want of resources to carry it out. If the Chancellor of the Exchequer will make it certain that those who succeed him will be responsible for providing everything in the nature of compensation or pensions it might be possible to arrange for carrying out the proposed reform; but if no such arrangement is made, the result will be disastrous to this measure, and possibly we may have to resort to the calamitous expedient of trying to increase the revenues of the University by increasing the contributions of the students. I beg, Sir, to move that the Bill be read a third time this day three months.

*MR. SPEAKER: Does any hon. Member second the Motion?

MR. STOREY (Sunderland): Yes, Sir; I will second it.

Amendment proposed, to leave out the word "now," and at the end of the question to add the words "upon this day three months."—(Mr. Wallace.)

Question proposed, "That the word 'now' stand part of the Question."

*THE CHANCELLOR OF THE EXCHEQUER (Mr. Goschen, St. George's, Hanover Square): I am somewhat surprised that the hon. Gentleman the Member for Sunderland, who is generally on the side of economy, has supported the Motion of the hon. Member for Edinburgh. The hon. Member was not in his place yesterday, when, in reply to a question which stood in his name, I stated that it was utterly impossible for Her Majesty's Government to assent to the proposal that compensation should be paid out of public funds, inasmuch as such a course would lead to the raising of all sorts of extravagant claims. I cannot recognise the duty of Parliament to undertake such a task, and beyond this I entirely demur to the view that Parliament is bound to provide for a University on the scale suggested by the Royal Commission. Royal Commissions do not always primarily regard the interests of the

taxpayer. I think that Parliament has dealt very liberally with the great Scotch Universities, and I must repeat my belief that there is a large margin of economy to be effected in those Universities by a revision of the scale of payment to the professors, a scale which is very largely in excess of similar emoluments paid to the professors in other Universities.

MR. STOREY: Perhaps I may be allowed to state that I merely seconded the Motion of my hon. Friend in order that the Government might be induced to reply to the points raised by the right hon. Gentleman. Having done that, I do not mind adding that I agree in the views expressed by the right hon. Gentleman, and shall not press the matter any further.

Question put, and agreed to.

Main Question put, and agreed to.

Bill read the third time (Queen's consent signified), and passed.

REVENUE BILL (No. 315.)

Considered in Committee.

(In the Committee.)

Clause 25, Prohibition of the sale of methylated spirits on Sunday.

SIR W. LAWSON (Cumberland, Cockermouth): I should like to know what is the object of this clause?

THE SECRETARY TO THE TREASURY (MR. JACKSON, Leeds, N.): The object of the clause is to meet a difficulty which has arisen in Scotland, by reason of the large sale of methylated spirit, which is sold on Sunday for other purposes than that for which the spirit is intended. It is said that, owing to Sunday closing in Scotland, the shops licensed to deal in methylated spirits are in the habit of selling these spirits for drinking purposes, and this clause will enable us to get rid of that abuse.

SIR W. LAWSON: And the object also is, I assume, to protect people to whom the methylated spirits are sold.

THE CHAIRMAN: The question is one of Revenue.

SIR W. LAWSON: But the hon. Gentleman has spoken of the great evil arising from the consumption of methylated spirits on Sunday.

MR. JACKSON: Yes; and the object of the clause is to prevent the sale for

drinking purposes of methylated spirits on Sunday, and also to protect the Revenue.

SIR W. LAWSON: I think the clause ought to go a little further, and I therefore move to add the words "and any other intoxicating liquors."

THE CHAIRMAN: Order, order! If the hon. Baronet's Amendment is to protect the Revenue it would be in order, otherwise it is out of order.

SIR W. LAWSON: Under the circumstances, I will not press the Amendment.

Clause agreed to.

New Clause (Repeal of 52 and 53 Vict., c. 7, s. 18, and substitution of other provisions therefor.)—(*The Attorney General*,)—agreed to.

New Clause (Extension of exemption of coupons.)—(*Mr. Kimber*,)—agreed to.

Bill reported, as amended, to be considered to-morrow.

COINAGE (LIGHT GOLD) BILL (No. 321.)

Order for Second Reading read.

*MR. GOSCHEN: In moving the Second Reading of this Bill I may observe that to deal with the restoration of the gold coinage comprehensively would involve many broad questions of controversy which would render it impossible to carry through such a measure in what remains of the Session. I therefore ask the House to assent to the comparatively small proposal now before it, the execution of which will supply invaluable experience and material on which to found a larger measure. Should the House assent to this measure the Government would not regard their so doing as an assent to the principle that the State should be recouped for the loss incurred by it on the light gold called in. The sovereigns and half-sovereigns of former reigns are to be withdrawn, and it is estimated that the value of the half-sovereigns of previous reigns now in circulation, and all of them light, is £150,000, the loss upon which would be £7,795, while the total estimated value of light sovereigns of former reigns now in circulation is £4,295,000. The total cost of the whole operation is estimated at about £80,000, but looking to the difficulty of reaching

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all the light gold in existence, I think that no larger sum than £50,000 will be required in the present financial year. If the House agrees to this proposal I shall next Session be prepared to take up the question of the light gold coinage, and it will then be my duty to explain the general principles on which Her Majesty's Government intend to proceed.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. ATKINSON (Boston): I am of opinion that the subject is hardly so difficult as the Chancellor of the Exchequer supposes, and I believe that if he had proposed a larger measure the House would have been enabled to have dealt with it to the advantage of the country. The country makes money by the issue of gold and silver coin, and therefore can well afford to bear the burden of replacing the light coins instead of throwing it upon the last holder. I trust that the right hon. Gentleman will see his way to deal with the whole subject comprehensively instead of by a balloon Bill of this kind. The right hon. Gentleman says the cost will be £50,000 for the financial year, but I would ask why should the whole of that sum fall upon one year. We must, however, be thankful for small mercies, and if this Bill be assented to we must hope that the subject will be dealt with in a future measure upon a broader basis.

*MR. W. P. SINCLAIR (Falkirk, &c.): I am sure the commercial classes generally will be grateful to the Chancellor of the Exchequer for having introduced this measure, because, although it is but a small Bill, it establishes an important principle—namely, that of throwing the cost of renewing worn coinage upon the State. It certainly would be most unreasonable to make the last holder pay the cost of the previous wear and tear, and I regard the doctrine of this Bill as commercially sound. Did I rightly apprehend the Chancellor of the Exchequer to say that the value of the light half sovereigns of former reigns now in circulation is £157,000? I should have thought it was a much larger sum. I should strongly object to the suggestion of the last speaker that the cost of replacing the light coinage

should be charged on a number of years. The charge is not a large one, and might reasonably be paid for within the year.

Question put, and agreed to.

Bill read a second time, and committed for to-morrow.

PAYMASTER GENERAL BILL. (No. 348.)

Read a second time, and committed for to-morrow.

ARBITRATION BILL (LORDS). (No. 267.)

Read a second time, and committed for to-morrow.

JUDICIAL FACTORS (SCOTLAND) BILL.
(No. 261.)

Order read, for resuming Adjourned Debate on Question [8th July], "That the Bill be now considered."

Question put, and agreed to.

Bill considered.

Clause 1.

*MR. WALLACE (Edinburgh, E.): My object in proposing the Amendment which stands in my name is to elicit some discussion on the point whether it is advisable that the two offices of Accountant of Court of Session and Accountant in Bankruptcy should be united. I do not intend to express my own reasons for these objections. I prefer to give the reasons which have been suggested by several Public Bodies in Edinburgh, and I trust that the Government will give some reply to those reasons. There are four Bodies which have objected to this union of the two offices. There is the Trade Protection Society, an Association of 1,300 or 1,400 merchants. There is the Edinburgh Chamber of Commerce, a Body of high standing. There is the Incorporated Society of Accountants, and finally there is the Council of the Solicitors of the Supreme Court, who are also an important and influential body. Now, the reasons they have put forward seem to me to be strong in themselves. I do not understand them to disapprove of the proposal to extend the supervision of the Accountant of the Court of Session over judicial factors. They agree that that is a great improvement, although they hold it will increase very considerably the labours of that official.

irregularity, then the Treasury ought to be required to take cognisance of the fact in settling the amount of pension to be given. I believe if the Lord Advocate accepts the Amendment he will give a great deal of satisfaction, and allay a certain amount of suspicion and difficulty that exists in connection with this matter.

Amendment proposed, Clause 4, page 2, line 26, after the word "service," to insert the words "extent of private practice."

Question proposed, "That those words be there inserted."—(*Mr. Wallace.*)

MR. J. P. B. ROBERTSON: I do not doubt that it is open to the Treasury in determining the amount of allowance to take into consideration all the circumstances to which the hon. Gentleman has alluded, but I do deprecate the insertion of the words he suggests, because they would, I think, give official recognition or sanction to a principle which ought not hastily to be laid down. I think this is a matter which must be left with the Treasury.

Question put, and negatived.

MR. CALDWELL: My next Amendment has reference to the audit of accounts of judicial factors. According to the existing practice all accounts in cases where a judicial factor has been appointed have to be audited by the Accountant of the Court of Session, and the object of my Amendment is that in Provincial districts the audit may be made by auditors in those districts. Of course the Lord Advocate will naturally object to my Amendment, but I may inform him that I am proposing it at the instance of a legal body in Glasgow, who consider its adoption necessary for the purpose of protecting their interests. Personally I have no interest in the matter.

Amendment proposed, in page 5, line 10, at end of Clause 12, to insert the words:—

"And except for business in the Court of Session any account for law business incurred by any factor or other person subject to this Act shall be deemed sufficiently audited if audited by the auditor of any Sheriff Court, or by the auditor appointed by the faculty of procurators in Glasgow."—(*Mr. Caldwell.*)

Question proposed, "That those words be there inserted."

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MR. J. P. B. ROBERTSON: This point was considered by the Grand Committee, who rejected the Amendment. I must deprecate the insertion of specified persons or bodies in a General Act of Parliament. I have the highest respect for the Faculty of Procurators of Glasgow; I am certain they perform most valuable duties, but I do not think their name should be inserted in an Act of Parliament under the pretext of enabling the accountant to accept the reports of Provincial auditors.

Question put, and negatived.

MR. CALDWELL: I have still another Amendment to propose, and the reception of it by the Government will, no doubt, illustrate how determined they are to reject the most ordinary and reasonable proposals. Under the existing law in bankruptcy cases there is no fee charged for the audit of accounts, but by this Bill it is proposed that while the accountant is bound to audit the accounts of the judicial factors free of charge, the audit of bankruptcy accounts is to be charged for. Now the judicial factors are usually well-to-do men, yet you are going to do this work—for which they can well afford to pay—at the expense of the country. On the other hand the audit of bankruptcy accounts is to be charged for, and people who are not getting the 20s. in the £1 are to be mulct in charges for the audit. I maintain that that is not reasonable, and I therefore move my Amendment, although I know very well what the result will be.

Amendment proposed, in page 5, line 35, to leave out from the word "and," to the end of the line.—(*Mr. Caldwell.*)

Question proposed, "That the word 'section' stand part of the Bill."

MR. J. P. B. ROBERTSON: This question was also carefully considered by the Grand Committee, and I am rather surprised at the indignant tone of the hon. Gentleman seeing that there was no difference of opinion in the Committee on the point.

Question put, and agreed to.

Another Amendment made.

Amendment proposed, in page 5, line 37, to leave out from the words "bankruptcy cases."—(*Mr. Caldwell.*)

Question, "That the words proposed to be left out stand part of the Bill," put, and agreed to.

Other Amendments made.

Amendment proposed, in page 7, at end of Clause 17, to insert the words

"And Section 141 of 'The Bankruptcy (Scotland) Act, 1856,' is hereby repealed, so far as said section provides for the review of the lord ordinary and sheriff in the matter of the trustees' remuneration."—(*Mr. Caldwell.*)

Question, "That those words be there inserted," put, and negatived.

Another Amendment made.

MR. J. P. B. ROBERTSON: May I ask the House now to read the Bill a third time? The Amendments that have been made are simply in matters of detail, and they in no way affect the general principle. I think there is a general concurrence of opinion in favour of taking the last stage.

Question proposed, "That the Bill be read a third time."

MR. CALDWELL: In passing the Local Government Bill the House came to the conclusion that there should be no compensation or pension except to those who, by the terms of their engagement, are entitled to such compensation on the abolition of their office, but I think it is pretty well understood that one object of this Bill is to create a claim for compensation for the holder of a certain office. The matter has been brought out in this way: the office he holds is to be conjoined with another office, and after that the holder of the conjoined offices is to get a pension in respect to the two offices. Now, an Amendment was moved here to the effect that if compensation was to be given it was not to extend further than to the existing office the person might hold and according to the emoluments of that office. But the Government have hinted that the present holder might continue his appointment for a year or two and then get his pension. He is advanced in years and may only hold office for six or 12 months and then retire on the pension applicable to the larger salary. Now, this is a matter that I should not be justified in allowing to pass without protest, and I do protest on the principle we laid down in the Local Government Bill where we refused to grant a pension

or even compensation on the abolition of office, unless the person is otherwise entitled to this compensation or pension. This Bill goes further and creates a right to a pension by the holder of an office. Ostensibly the Bill provides for the amalgamation of two offices, but the simple effect of the Bill is to give to the holder of an office a pension to which he is not now entitled. The present holder of the office will continue in office for six months or 12 months, and then he will retire on the pension applicable to the larger salary of the combined offices.

MR. DONALD CRAWFORD (Lanark, N.E.): The hon. Member gives a somewhat startling statement of the provisions of the Bill; but my understanding of them is something very different. The hon. Member has before expressed his opinion that the effect, and even the object, of the Bill was to unite two offices, and then the holder of the office of Accountant of the Court will retire with a pension based upon the salary of the combined offices. That statement seems to have made some impression upon Members on this side. Now, if that were the effect of the Bill, no one would be more forward than I to condemn it; but I read the Bill in an entirely different sense. I understand there is a special clause that deals with the office of Accountant of the Court, an office which the present holder has held for many years with general acceptance, and as I read the Bill there is no provision in it for compensating him except in respect to the present office, and the double office will be filled by a new officer on the retirement of the present officer, which, I understand, is about to take place. There is, I understand, no foundation for the statement that the double office will be held by the present Accountant, and that he, in consequence, will be entitled to the double compensation. This is clear to me, but it might be well if the Lord Advocate would remove any doubt there may be in the mind of any hon. Member. I do not think it would be right or fair that we should have a special clause providing for compensation to the holder except in respect to the office from which he is about to retire.

MR. J. P. B. ROBERTSON: I am most happy to reassure the hon. Member on this point, though I should

hardly have thought it was necessary to do so. The present holder of the office of Accountant to the Court has served the public for a very long time; he is entitled to retire, and I understand desires to retire. His compensation will be on the scale of the performance of the duties of his single office without any relation to the new office. I am bound to say I did not think, and I scarcely think, how there can be any misconception on the point referred to by the hon. Member for Lanark, but if there is I hope what I have said will remove it.

MR. DONALD CRAWFORD: There was no misconception on my part.

Question put, and agreed to.

Bill read a third time, and passed.

BOARD OF AGRICULTURE BILL.
(No. 355.)

Lords Amendment considered.

MR. RADCLIFFE COOKE (Newington, N.): The object of the Amendment having reference to the regulation of the keeping of dogs is to check the disease of rabies among these animals, but it is not in my view germane to the general purposes of the Bill. Dogs are not exclusively connected with agriculture, but, on the contrary, the danger to be apprehended is from dogs in the possession of other than agricultural persons. The Bill proposes to transfer to the Board of Agriculture certain powers prescribed by the Privy Council, and I may be wrong, but so far as my knowledge goes, the power to make regulations for dogs, and exercise control, and make orders for muzzling, etc., does not reside in the Privy Council now, but in the Home Office or the police. The Amendment contains certain provisions with reference to the operation of the Contagious Diseases (Animals) Act of 1878, applicable to the control of the movements of animals, such as horses, sheep, and cattle, but are far from being applicable to the constant muzzling and destruction of dogs. So I suggest this Amendment is not germane to the general purpose of the Bill. There are many difficulties and objections in regard to the mode of controlling, muzzling, seizing, and detaining, and disposing of dogs not kept under proper

control, and the question of what is proper control is a moot point at present, and the question of compensation to dogs ordered to be slaughtered may arise. Altogether I think this is not among those matters with which the Bill was intended to deal. The Board of Agriculture is not the proper authority to deal with such a matter. The Amendment contemplates the control of all dogs in the country, but the number of dogs that have no connection at all with agriculture far exceeds the number of sheep dogs, and it does not seem to me consistent with the duties of the Board of Agriculture to undertake the control and slaughter of stray dogs in towns. If there is any doubt of this duty being with the Home Office, we have the newly-constituted County Authority, the County Council, which, in my humble judgment, is the body to have this control and management. There are provisions in the Local Government Act that transfer certain duties from the Privy Council to the County Council, and although I do not believe the Privy Council has this power now, yet obviously it was within the intention of the framers of the Local Government Act that cognate powers should be transferred from the Central to the Local Authority. I object, then, to this particular Amendment of the Lords on the ground that it is not germane to the general provisions of the Bill, and is directed to remedy evils that do not arise purely out of agricultural occupations, and also because not the Board of Agriculture, but the Home Office, or the County Council, is the proper authority to have control in this matter.

*THE FIRST LORD OF THE TREASURY (Mr. W. H. SMITH, Strand, Westminster): I wish at once to answer my hon. Friend with reference to the argument which practically amounts to this, that the Privy Council does not possess the power now, and therefore it should not be transferred to the new department together with other control under the Contagious Diseases Animals Act. My hon. Friend must have failed to observe that within the last few days the Privy Council have issued an Order for the muzzling of dogs from the 1st of August, which proves conclusively that the Privy Council does possess that authority which the Lords by their Amend-

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ment would transfer. The chief question is really what authority should be charged with the duty of issuing regulations for the prevention of the spread of the dangerous malady rabies. The question is whether a Government Department should have power to issue orders and prescribe regulations which will have to be carried out by the Local Authority. That power the Privy Council now possess, it is not vested in the Home Office, or in the Local Government Board, and will not exist at all unless the Board of Agriculture is charged with it.

*MR. MARK STEWART (Kirkcudbright): I think, speaking for the part of the country with which I am acquainted, and not for towns, that the clause will be very valuable, enabling the Local Authorities to deal with a large number of stray dogs that do much harm to our flocks and herds. At present the Authorities have practically no power to stop these ravages, but the Department will issue just the regulations that are required.

Lords Amendment agreed to.

FACTORS BILL [LORDS] (No. 310.)

Bill, as amended by the Standing Committee, considered.

Motion made, and Question proposed, "That the Bill be re-committed in order that a clause may be inserted to provide that the Act shall not extend to Scotland."—(*The Attorney General.*)

Motion agreed to.

Bill considered in Committee.

(In the Committee.)

New Clause (Limitation of the Act), read a second time, and added to the Bill.

Bill reported; as amended, to be considered upon Friday.

INFECTIOUS DISEASES NOTIFICATION BILL. (No. 293.)

Order for Second Reading read.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. RITCHIE, Tower Hamlets, St. George's): This Bill, the Second Reading of which I now move, has been for some time printed, and I think it speaks for itself. The design of the Bill is to extend what

is practically the law in many of our large towns to the whole country. I may say the provisions of the Bill are practically enforced by local Acts in 52 towns throughout the country, comprising a population of no less than 3½ millions. If any other town desires to adopt the same provisions, the present process is for the Authorities to introduce a Bill, a process which, as hon. Gentlemen know, is attended with considerable expenditure of money and trouble. That the provisions are good in themselves I think is proved by the fact of 52 large towns having availed themselves of the opportunity of applying them. The extension of the provisions contained in this Bill has been recommended strongly by the Police and Sanitary Regulations Committee, by the Royal Commission of 1882, by many Local Authorities throughout the country, and a large number of Medical Officers of Health, who have represented to the Local Government Board that their difficulties in connection with the preservation of health in their districts are very great owing to the absence of notification of the outbreak of infectious disease. It is clear that the Sanitary Authorities are thus placed at a great disadvantage in taking timely measures to prevent the spread of diseases such as are referred to in the Bill. With a view to legislation on the subject, the Local Government Board in 1887 addressed communications to the Authorities of all the towns where notification is carried out, and received absolutely unanimous testimony in reply in favour of the system, which is represented to work smoothly and efficiently. If the Bill is assented to, if these powers are conferred, the procedure will be that notification will set the Medical Officer of Health and the Inspector of Nuisances in motion at once. They will visit the house from which notification has been received to insure that due care is taken to prevent the spread of disease, by means of isolation, or, if that is impossible, by means of removal of the patient to hospital. That removal is not compulsory. We do not give powers of forcible removal, but it will be the duty of the Health Authorities to use such influence as they can in order to obtain the removal of a patient to a hospital where all precautions will be taken to prevent the spread of dis-

case. Proper disinfection will then be applied to the house from which the patient is removed. Where it is necessary, the Local Authorities will communicate with school managers, with the managers of public institutions, such as free libraries, &c., giving such information as will conduce to prevention of the spread of disease. We found that it was extremely useful also in enabling the Local Authorities to trace the source of disease, and to attack it without delay. For instance, there was one borough in which there were no less than 30 cases of typhoid fever notified to the Local Authority, and the Medical Officer of Health not only took precautions with reference to the cases, but set to work at once to find out how it was that the disease had attacked so many persons. The whole of the cases were traced to one particular source, and the Authorities were able to prevent the outbreak assuming greater dimensions. In another case where scarlatina was notified, all the cases were traced to a particular school, where a child suffering from scarlatina in the peeling state was mixing with the scholars. But for this notification the outbreak would, in all probability, have assumed very large and startling dimensions. The Government propose that the notification shall be compulsory in London, but that outside London it shall be optional for the Local Authorities to adopt the Act by Resolution. To make the Act compulsory at once on Urban and Rural Authorities all over the Kingdom might create some amount of friction; but if it be found that Local Authorities are slow to adopt the Act, it may be necessary for Parliament to consider whether it should not be made compulsory. With reference to London, it is perfectly obvious that the same course cannot be adopted, because London is controlled by a very large number of Local Authorities, and it could not be contemplated with satisfaction for a moment that the Local Authority in one part of London might adopt the Act, while a Local Authority in another part of London might not adopt it. There are other considerations in connection with a town of the enormous dimensions of London which render it desirable that in the Metropolis the provisions of the Act should be obligatory on the

Mr. Ritchie

Local Authorities. The diseases which it is proposed to include in the Bill are smallpox, cholera, diphtheria, erysipelas, scarlatina, typhoid, and relapsing fever; but the Bill also contains a provision that a Local Authority may, in an emergency, by Resolution approved by the Local Government Board, include some diseases other than the diseases mentioned. I refrain from dwelling, as I might at length, on the obvious advantages which will unquestionably result from placing the authority charged with the health of the inhabitants in possession of the information necessary to enable it properly to carry out its duties. I can quite understand that there may be objections to one or other details in the Bill. But I cannot believe that objections from any quarter will be urged against the principle of the Bill.

Motion made, and Question proposed,
"That the Bill be now read a second time."

MR. SEXTON (Belfast, W.): May I ask if the Bill extends to Ireland?

MR. RITCHIE: No, Sir, it does not; but I have not the least objection to take measures, if hon. Gentlemen desire, to insure its extension to Ireland.

*SIR W. FOSTER (Derby, Ilkeston): This is a most important Bill from the point of view both of the Local Authorities and the public; but I think it right to point out that there are many people among the industrial classes who view with great jealousy interference of this kind, which they believe would soon lead to the removal of all persons suffering from infectious diseases into hospitals. There is certainly no provision of that kind in the Bill, but that is thought likely by many to be the result of such legislation. On this account there is a good deal of objection to the Bill in certain quarters. I mention this in order that Members of the House generally may know the views of people outside with reference to the Bill. But, looking at it from another point of view, I must confess that I have a good deal of sympathy with the object of the Bill. I think it necessary that we should endeavour as far as we can to stamp out the diseases which this Bill contemplates stamping out by means of notification. It is, of course, necessary that all citizens should

endeavour as far as possible to check the prevalence of disease, and I think this may be done to a considerable extent by the Notification Clause which the Bill contains; but I have no complete sympathy with the method proposed. The Bill calls upon medical men to perform something more than the ordinary duties of citizenship by requiring them to become informers of the occurrence of diseases. The relation of a medical man to his patient ought to be one of complete confidence, and anything that comes to the knowledge of a medical man in the practice of his profession is practically an inviolable secret; and I do not like any Bill to interfere with that relationship. I know myself that one of the results of this Bill, if passed into law, will be that in scores of cases medical men will not be called in to attend people suffering from infectious diseases. I have known cases of this kind occur in a populous district. The child of a man keeping a small general shop has an infectious disease, the medical attendant notifies it and the Medical Officer of Health sends down his Inspector in the uniform of his class. The result has been that the neighbours are alarmed, and the whole of the poor man's business has fallen off and he has been practically ruined. What is the consequence? Six months or twelve months afterwards the doctor is called in to a case of much graver infectious disease, and the shopkeeper pleads earnestly with the doctor not to notify it or he must go on without any doctor. I think that all the advantages of notification will be obtained if you insist upon the householder or guardian of the patient making the notification. You can also insist upon the medical men giving a certificate to the householder as to the nature of the disease. I admit the difficulty of the position, but I am anxious that no measure should pass into law which will induce the public to keep these diseases more secret than they have been in the past with the risk of adding to the spreading of them. We must be very cautious not to do anything which will prevent the public from placing full and implicit confidence in their medical man. I can quite conceive it to be possible that, if an outbreak of infectious disease occurs in a populous part of London, the people may, in order to prevent exposure,

refuse to allow a medical man to come in, and in such a case we shall have tenfold more difficulty than at present. Therefore, while I am anxious to promote the notification of disease, I do not want the Government to adopt any rough and ready method which will be likely to promote rebellion on the part of the public.

*MR. LLEWELLYN (Somerset, N.): I wish to inform the right hon. Gentleman how thankfully this Bill will be received by those who have the duties relating to the public health thrown on them. The hon. Member who last spoke has given an instance of a small shopkeeper, and has said how hard it would fall upon him to have the doctor compelled to notify the outbreak of infectious diseases on his premises. But I would point out that those are just the cases which this Bill is designed to meet—cases in which an infectious disease breaks out amongst the children of a village shopkeeper, and is spread from family to family in consequence of the reluctance of the householder to make known the fact that the disease is in his house. Sometimes a whole village school may become infected through the absence of proper notification, and this is particularly the case with measles. I am sorry that the right hon. Gentleman the President of the Local Government Board does not propose to include measles in the Bill, for nothing is worse than to have an outbreak of that malady in a village school. I am prepared for the opposition of medical gentlemen to this Bill. The hon. Member who last spoke would throw on the householder the duty of reporting the outbreak of infectious disease; but we know that the householder does not report in such cases. We know that he is too often apt to allow his children to run about the streets, in spite of the fact that there is an infectious disease on his premises, especially if the disease is of a mild type, though we know that a person having an infectious disease of a mild type may communicate it to another person, who may have it in such a severe form as to cause death. Very often, when measles and scarlet fever occur, if the cases are mild, the parents of the sick children refuse to call in a doctor, preferring to treat the maladies themselves and to take their chance; and

have been raised. Let him have confidence in London—let him rest assured that the people of London will be as ready as the people of any other part of the country to enforce the powers of the Bill if they are for the good of the community; and let him also be satisfied that the way to prevent friction in a matter of this kind is to trust the representatives of the people, locally elected, and to treat all parts of the country alike. If the case of London is made an exception to the general policy of the Bill, the people of London will consider that the right hon. Gentleman does not regard them as having sufficient intelligence to put in force the powers of this measure.

*MR. GAINSFORD BRUCE (Finsbury, Holborn): I hope this Bill will receive general support, and I believe the people of London very generally appreciate its provisions. The hon. Gentleman who has just spoken said the Sanitary Authorities of London would hardly approve of the provisions of the Bill. But they have petitioned this House in favour of it. I believe more than half of the Sanitary Authorities of London have petitioned the House in favour of this Bill, and I am satisfied that there is a strong desire for it on the part of the people of London. There is one matter I should like to mention. Most persons are of opinion that the relatives, or the persons in attendance on the patient, and, failing them, the occupier of the house, should be bound to give notification to the Local Authorities, but there is great difficulty in framing a satisfactory definition of the word "occupier." I am informed by those who have had experience in these matters that the Act will fail to reach many of the worst cases, unless the definition of the word occupier is somewhat extended. I only mention the point that the right hon. Gentleman may, before the Bill reaches the Committee stage, consider how far he can meet the views of the Local Authorities.

*MR. W. P. SINCLAIR (Falkirk): I think the difficulties felt may be very easily overcome if the duty is first placed on the householder of informing the Health Authority of the outbreak of disease of an infectious character, and secondly, and only secondly, on the medical practitioner in attendance on the

case. I think it would be wrong in the first instance to place that duty on the medical attendant. It is quite right that the duty should be performed by some one, but it seems to me that it ought first to be performed by the householder or some one responsible in the household, and that is so provided in this Bill; but where the difficulty arises is that the duty is also at once thrown upon the medical attendant. That might be overcome by requiring the medical practitioner to go to the head of the household and giving him a certificate stating the nature of the disease, and drawing attention to the sub-section in which the duty to notify is first cast upon the householder. If he neglects his duty, then the duty would be thrown upon the medical officer. I think medical men would have a just grievance if the duty were thrown upon them in the way proposed by the Bill. But they could have no grievance if they were only required to give the householder a certificate that the disease was infectious and required him to give notice; or, if the householder neglected to do his duty, that the medical practitioner himself should give notice to the Local Authority. If an Amendment to that effect were introduced in Committee, the Bill, which is a very valuable one in other respects, might fairly be accepted.

*MR. HALLEY STEWART (Lincolnshire, Spalding): I am anxious to state that those who object to the 5th section of the 32nd clause of the Bill do so in the interest of the public health. They believe that the proposal would add to the danger which at present exists. If the right hon. Gentleman would promise to consider the position of the medical profession, I think the Bill might go through without opposition. The case of the village shopkeeper, to which the hon. Gentleman (Mr. Llewellyn) referred, is just a case in point where the medical man should not have thrown upon him the responsibility of being a private informer. A breach would be made in the relations of the medical practitioner and the family he attends, and constant distrust would be created which would lead to medical aid being dispensed with, and so result in a very serious growth of infectious diseases. I hope the right hon.

Gentleman will consider the inclusion of a disease of which I do not know the medical name, but which is known as German measles, and which I am informed is a serious kind of disease not infrequently fatal. One other observation. Those of us who are opposed to compulsory vaccination feel that the true alternative is to fall back upon a safeguard like this. I do not, however, regard the question of compulsory vaccination from a medical but from a political point of view. I am opposed to interference between the parent and a healthy child. But the moment that child becomes a centre of infectious disease, I do not know where I would stop, even if it should result in the compulsory conveyance of members of a household to the hospital and separating them from all the comforts which are supposed to be associated with home. I cordially support the Motion for the Second Reading.

*MR. WINTERBOTHAM (Cirencester): I think this a most valuable Bill, but I think the objection which has been raised as to the medical profession, and which is felt very strongly in the country, is worthy the consideration of Her Majesty's Government. The Bill will be doubly valuable if it enlists the co-operation of the medical profession throughout the country, but if the duty is first cast upon the medical attendant to give notice, it may lead to distrust among patients. Should it not be left to the medical attendant to give a certificate to the person in charge of the patient requiring him to give notice to the authorities?

*SIR J. LUBBOCK (London University): I concur with what has been said by the hon. Member behind me with regard to London. I quite believe that if this Bill were left optional to the authorities in London it would be applied as much in the Metropolis as in the country. I am afraid if it is made compulsory upon London it will prejudice the consideration of the matter in the eyes of the Metropolis. Londoners have a great objection to being too much interfered with, and I cannot help thinking, anxious as I am that the Bill should be applied to London, that my right hon. Friend would do well to consider the suggestion that London should be treated in the same way as the rest of the country. He did

Mr. Hilley Stewart

not object to the Bill being compulsory, but in that case the compulsion should be general.

MR. HUNTER (Aberdeen): This is a Bill of very great importance, and as a number of hon. Members who are interested in it are not present, it would be a more convenient course to adjourn the Debate. I beg to move the adjournment of the Debate.

Motion made, and Question proposed,
"That the Debate be now adjourned."

MR. RITCHIE: Hon. Members who were interested in a matter such as this might be fairly expected to be down by half-past three o'clock on a Wednesday afternoon when the Bill is on the Paper. Yesterday I communicated with the Gentlemen who have given notice of their intention to move the rejection of the Bill, intimating my desire to know what their objections to it might be. One of them very frankly replied that he had no views upon the subject at all. Looking to the fact that the opinion of those who have spoken in the House have been altogether unanimous in favour of the general principle of the Bill, I hope the hon. Member will withdraw his Motion for the adjournment.

MR. BRADLAUGH (Northampton): Considerable pressure has been put upon me in regard to another investigation which is now going on, and which is considered to have a bearing upon the present Bill. I thought it was one of the matters which the right hon. Gentleman might well consider, because no doubt that investigation relates to a class of infectious diseases which this Bill does not touch. Having been considering another class of infectious diseases only a few minutes ago, I find myself in considerable difficulty in entering upon a discussion which I had not anticipated.

MR. RITCHIE: I would point out to the hon. Member in reference to the other investigation to which he alludes, that those who were opposed to vaccination are the strongest supporters of this Bill.

*SIR W. FOSTER: I would like to ask the right hon. Gentleman whether he will consider the suggestion I have thrown out?

*MR. SPEAKER: Order, order!

*SIR W. FOSTER: I wished to explain that I do not care to vote for the adjournment of the Debate, and if an opportunity of indicating the nature of his reply were afforded to the right hon. Gentleman, it might guide others in voting.

The House divided:—Ayes 48; Noes 187.—(Div. List, No. 266.)

Original Question again proposed.

*THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (MR. LONG, Wilts, Devizes): Mr. Speaker, I must first express the gratification of Her Majesty's Government at the tone of the Debate in all quarters of the House. What objections there are are directed more to points of detail than to the general principle of the Bill. At the same time, I am instructed by the President of the Local Government Board to give hon. Gentlemen some information on the points they have raised. In the remarks of the hon. Gentleman the Member for the Ilkestone Division of Derbyshire, he urges, in the first place, that there may be jealousy on the part of the industrial classes as to interference with their domestic freedom. I think it is essential, in the interests of the working classes, that a Bill of this nature should be carried; and even if it did, in some degree, hurt their feelings, the good which would be derived by the prevention of the spread of infectious disease would overwhelm any annoyance or objections of that description. Then the hon. Gentleman referred to the fact that the medical man's position will be a very difficult one, and he contended that nothing should be done by Parliament to interfere with the confidential relations between the medical man and his patient. I think the House and the country ought to hesitate a long time before they allow any consideration of that kind, deserving of attention though it be, to interfere with necessary precautions in defence of the public health. I would appeal to the hon. Gentleman whether, under the present system, it is not his practice, when he knows of an infectious disease in the house of a patient, to make the fact more or less known. The main objection is that we are placing the medical profession in a peculiarly unfair position, and the hon. Member asks that the duty should be

thrown on the householder, and not on the medical man. He says his experience leads him to believe that if this unpleasant duty, as he calls it, is thrown on the medical man, the medical man will not be sent for. That is a matter which can only be tested by practice. We have, at all events, this on our side—that in the 52 towns where similar precautions to those contained in that Bill have hitherto been in force, householders have not only not been deterred from calling in medical assistance, but the origin of disease has been traced and its spread arrested. It has also been said by the hon. Member that a medical man ought not to be called upon to proclaim to the world that a small tradesman has disease in his house, because when the fact becomes known the tradesman may suffer loss in his business. But the fear of such a loss would surely operate on the mind of the small tradesman himself if it were thrown upon him alone to notify the outbreak of disease in his house, and he might be induced to hide the fact. Therefore, my right hon. Friend cannot hold out any hope that it will be possible to relinquish that part of the Bill which imposes the double duty on the householder and also on the medical man, because if the householder alone has to make the notification, and there is default on his part, the provisions of the Bill will be weakened and its successful working seriously imperilled. It has been suggested that the measure should be extended to other diseases, and that German measles in particular should be included within its scope. The Government will not object to consider in Committee any legitimate addition to the list of diseases to which the Bill applies. The hon. Member for Finsbury (Mr. J. Rowlands) has urged that London should be placed on exactly the same footing as the rest of the country in this matter; but the position of London is absolutely distinct from that of any other part of the country. In large towns the Corporation is the Sanitary Authority for the entire area of the town, and the regulations, if adopted at all, will at once be enforced over the whole of it. But in the Metropolis the case is different. There we have a large number of Sanitary Authorities, and if the provisions of the Bill are adopted by only one-half or two-thirds of them, and

not by them all, the good effect of the measure will obviously be defeated or greatly impaired. Therefore, the Government cannot consider any proposal not to make the Bill compulsory for London. We should be much more inclined to adopt a suggestion for making it compulsory over the whole country. Any suggestion of the kind will be a fitting subject for discussion when we reach the stage of Committee. With regard to the remarks of the Lord Mayor of Dublin (Mr. Sexton), it should be borne in mind that the diseases specified in the Act of Parliament stand on a different footing from those to which Local Authorities may wish to apply the regulations without any reference to superior authority. I may say I think the hon. Member for Finsbury has hardly realised that Petitions in favour of some such measure as this have been presented by half the Vestries and District Boards in London. That hardly looks as if the measure is regarded with any feeling of hostility by the people of London generally. I have only once again to say how grateful we are for the considerate and practical way in which this measure has been discussed, and how earnestly I hope it may be passed in the interests of the public health.

MR. STOREY (Sunderland): I represent a town which a few years ago adopted such a law as is now proposed by this Bill. At the time we adopted it all these old-fashioned objections which have been expressed in the House this afternoon were brought up against the proposal. We have now had experience, which is the best teacher in these matters. In Sunderland there is not, and never has been, since the first three or four months, any jealousy at all on the part of the householders against it. Our population is much in favour of individual liberty. We object to law, and have as little to do with it as possible. If we could live under the old dispensation, when every man did what was right in his own eyes, we should be the first to do it, and if there is any town in the country that would resent any interference with public liberty, it would be ours. The Bill has recognised that this notification of diseases is a good thing. We have had bitter experience in our town of the spread of contagious diseases through our not having

had the means of laying our hands upon it in the early days. The town once lost 2,000 lives from an attack of small pox introduced by a ship that entered the port; and the Municipal Authorities afterwards came to Parliament for a private Act which gave powers analogous to those contained in this Bill. Those powers have worked admirably. There is no jealousy whatever on the part of the householders in regard to them, the people recognising the advantage arising from them. One of the doctors at first thought it unfair to call upon him to reveal the existence of disease in the households of his patients. We settled that doctor. We arranged that every doctor who made a notification should receive a fee. Although I admit, as a rule, doctors care more about doing good than about fees, still, like other people, they like fees. They represented that the fee we offered was not quite enough. We gave them a little more. Their objection to reporting has entirely disappeared, and they work most willingly with the medical officers. The Act has worked admirably in Sunderland, and has been a great blessing to us, and as far as our experience has yet gone, we have diminished the quantity of infectious disease in our midst by the judicious carrying out of the Act. I shall be willing to support an Amendment to extend the compulsory operation of this Bill to the whole of the country.

MR. BUCHANAN (Edinburgh, W.): In Edinburgh we obtained an Act of this kind some 10 years ago, and the duty of notification is placed on the medical officer alone. When the measure was first proposed for adoption by Edinburgh, a certain jealousy was expressed by the medical men, but as soon as it came into operation that jealousy disappeared, and it has now been in operation for 10 years, with the full and cordial approbation of the whole of the medical profession of Edinburgh. The operation of the measure imposes upon the rates of the City something like £1,000 to £2,000 a year, and no complaint whatever has been made against the expenditure of that sum of money, whilst the inhabitants in the poorer parts of the City give every assistance to the medical officer in the carrying out of the Act. As to the benefits we in Edinburgh have de-

rived from it, I can confirm most absolutely the expressions used by the hon. Member for Sunderland. Medical officers have stated to me that at least two outbreaks of small-pox were stamped out in consequence of the observance of these provisions. We have enormously diminished the death rate of the City, but the enumeration of diseases in Edinburgh is somewhat wider than that provided for in the Bill; measles, for instance, is included in our list. I am convinced that if an Act of this sort is once put into operation in large communities it will not fail to receive the support and co-operation of the people. I sincerely hope the Bill may pass, and be given full application.

MR. H. H. FOWLER (Wolverhampton, East): I would not have interposed in this Debate but for the fact that I was one of the Members of the House who sat upon the Committee to whom this question was referred seven years ago. I am very glad to find that even now, after this long interval, the recommendation of that Committee is at least being brought before the House so far as general legislation is concerned. We had a large number of private Bills referring to the notification of diseases before us, and we reported that we had little difficulty in forming an opinion that the time had arrived when provisions of law on this subject might be sanctioned, at least in the most important urban districts. We had before us the experience of Sunderland and Edinburgh, and, I think, of some 23 or 24 other places which had adopted these provisions. We submitted to the House clauses which were drawn by very competent authority, and, indeed, the question received our most anxious consideration. We heard the evidence from the medical officers' point of view, and we came to the conclusion that it should be the duty of the occupier of the house to give notice, and that it should also be the duty of the medical man to give notice, and we recommended a uniform fee—a very moderate one. I am bound to say, in justice to my hon. Friend the Member for the Ilkeston Division (Sir W. Foster), that in Nottingham there was very strong objection on the part of the medical men to this clause, and Parliament was induced to modify the clause so as to compel the medical men only to

give notice to the head of the family. Certainly, if I were called upon to vote again, I should vote as I did in 1882. I should vote for the proposal of the Government—namely, to make the notification compulsory upon the medical men; because, although I quite appreciate the natural jealousy of a medical man in the matter of being compelled to disclose that which comes to him in a confidential and professional capacity, I think the enormous preponderance of evidence is in favour of notification by medical men. I hope the Bill will pass. We are all agreed that if this is a good thing for Manchester, Nottingham, Huddersfield, and Sunderland, it is a good thing for the rest of the kingdom. I strongly urge that the Bill should be read a second time, because in Committee we shall have full opportunity of discussing the clauses and arriving at a satisfactory conclusion.

*MR. J. E. ELLIS (Nottingham, Rushcliffe): As I put down a notice of opposition to this Bill, I desire to say that I only did so in order to secure a proper discussion of the measure. We have seen that the President of the Local Government Board has tried to rush the Bill through after half past 5 o'clock on a Wednesday evening, and more than once after midnight. I venture to think that is hardly the course for the Government to pursue in regard to a Bill of this character. I think the President will allow the discussion this afternoon has been a most useful one, and it is due to our having secured a proper interval for discussion. Having said this, I do not for a moment wish to delay the passing of the Bill.

COLONEL GUNTER (Yorkshire, W.R. Barkstone Ash): I should like to give my experience as Chairman of a Board of Guardians and a Sanitary Board. It is that although people who are suffering from infectious diseases may not go into the streets, other people may go into the houses where the disease is, and in consequence spread it all around. We had in our district an outbreak of scarlet fever. As the Sanitary Board we did all we could to prevent it spreading, but we found great difficulty in doing so. The fever broke out in a village where there was a large number of Irish people who would insist upon waking the children and others who died. It was with the

utmost difficulty we stamped out the disease.

*MR. ESSLEMONT (Aberdeen, E.): I think this Bill will be very valuable when it is made compulsory all through. Having had many years' experience of the working of the Public Health Act, I can testify to the fact that thousands of lives have been saved, and are being saved, every year by a careful observance of the Public Health Acts as regards infectious diseases. I want upon this occasion to make the application of the Act universal. In Aberdeen we have really two burghs in one Parliamentary burgh. Each burgh has its own way of carrying out the law, a fact which does not tend to a satisfactory end. The more uniform the administration of the law can be made, so much more effective will it become. I trust the President of the Local Government Board will introduce a clause which will make the administration of the law uniform.

MR. JAMES STUART (Shoreditch, Hoxton): I should like to know whether it is intended that under Clause 7 the existence of syphilis will have to be notified.

MR. RITCHIE: It has never been intended that that disease should come under the Act.

Question put, and agreed to.

Bill read a second time, and committed for Monday next.

PASSENGER ACTS AMENDMENT BILL [LORDS.] (No. 327.)

Considered in Committee, and reported, without Amendment.

Bill read the third time, and passed.

MARRIAGES (BASUTOLAND, &c.) BILL [LORDS.] (No. 352.)

Considered in Committee.

(In the Committee.)

Clause 1, Amendment proposed, in page 1, line 16, after the word "ordained," to insert the words—

"And which shall within eighteen months after the passing of this Act have been entered in the register of marriages in the territory in which they have been solemnised, in accordance with the law or usage for the time being in force in such territory."—(Mr. Tomlinson.)

Question proposed, "That those words be there inserted."

Colonel Gunter

*THE ATTORNEY GENERAL (Sir R. WEBSTER, Isle of Wight): I have considered the point raised last night by my hon. and learned Friend, and I think it is desirable there should be some fixed time in order to prevent marriages solemnised some 20 or 30 years before being rendered valid under this Bill. I would suggest, however, that instead of his Amendment we should insert—

"And which shall, within two years after the passing of this Act, have been registered at such place, and in such manner as the High Commissioner shall, by proclamation within six months after the passing of the Act, prescribe."

That, I think, would better meet the object the hon. and learned Gentleman has in view.

MR. TOMLINSON: I am quite satisfied with the words my hon. and learned Friend suggests, and therefore I beg to withdraw my Amendment.

Amendment, by leave, withdrawn.

Amendment proposed, in page 1, line 16, after the word "ordained," to insert the words—

"And which shall, within two years after the passing of this Act, have been registered at such place, and in such manner as the High Commissioner shall, by proclamation within six months after the passing of the Act, prescribe."—(Mr. Attorney General.)

Question proposed, "That these words be there inserted."

*SIR R. WEBSTER: When I looked at the Act of Fiji it seemed to me the position taken up by my hon. and learned Friend was a reasonable one, but my right hon. Friend the Under Secretary of State for the Colonies (Baron H. de Worms) and myself felt we could not prescribe the mode of registration. I have, therefore, proposed this Amendment in substitution of that of my hon. Friend.

MR. O. MORGAN (Denbighshire, E.): The Amendment seems a reasonable one, and I hope it will be accepted.

MR. MOLLOY (King's County, Birr): Will the Attorney General consent to three years instead of two? I cannot speak for Basutoland, but I know that in other parts of the colonies it is a common occurrence for people in the wild districts not to have any communications for 12 and 18 months at a time. I know of places, even in Australia, where an 18 months' notice would be of no avail.

*SIR R. WEBSTER: I think the suggestion is worthy of consideration. Of course, I am not personally acquainted with the actual character of these colonies, and am glad to receive any practical suggestion. I think it is a very reasonable proposition that the total time should be three years, and I fancy my hon. and learned Friend (Mr. Tomlinson) would not object to the alteration.

MR. TOMLINSON: I have not the slightest objection to three years being allowed instead of two.

Amendment proposed to the proposed Amendment, line 1, to leave out the word "two," and insert the word "three."—(Mr. Molloy.)

Question, "That 'two' stand part of the Amendment," put, and negatived.

Question, "That 'three' be there inserted," put, and agreed to.

Amendment, as amended, again proposed.

MR. HUNTER (Aberdeen): I beg to move the insertion of the words, "with the consent of both parties to the marriage or the survivor of them," after the word "registered." These Validation Acts are very excellent in their object, but this is a peculiarly sweeping measure, because it applies to a territory which formerly did not belong to the British Empire, and it refers to matters which occurred in that territory at a time when it did not belong to the British Empire. It is proposed that anything called marriage which is celebrated by a minister of any denomination duly appointed or ordained shall be rendered valid. I find no distinction drawn between British subjects, when both parties are British subjects, when only one of the parties is a British subject, and when neither party is a British subject. It would be quite within the scope of the Bill that a marriage between two persons, say of French extraction, should be made valid by registration, although that marriage might not be valid according to the law of France. It is given to one of the parties to go within a limited time to register the marriage. Persons who may have gone through some ceremony of marriage in these territories may find themselves married without their consent, and even against their consent. It seems

to me there would be no serious practical objection to requiring the consent of both parties to the registration, because if both parties consented no wrong could be done to either of them. And, in the same way, if one of the parties happens to be dead, it would be only reasonable that the survivor alone should have the right to register the marriage.

Amendment proposed to the proposed Amendment, in line 3, by inserting after the word "registered," the words "with the consent of both parties or the survivor of them."—(Mr. Hunter.)

Question proposed, "That those words be there inserted in the proposed Amendment."

MR. BRADLAUGH: There is another reason why the Amendment should be accepted, and that is that the Bill does not require any notice of the intention to register to be given by the person registering to the other person of the marriage.

MR. MOLLOY: I strongly advise the Attorney General not to accept this Amendment. If the hon. Gentleman (Mr. Hunter) had any knowledge of the kind of life which is led in these wild districts he would not have moved an Amendment of this kind. If you are going to leave it open to one of the parties to refuse to have the marriage registered, you play into the hands of a man who, for instance, having become tired of his wife, wishes to go off and enter into another alliance. By adopting this Amendment you will be really undoing nine-tenths of the good done by the Bill.

*SIR R. WEBSTER: I cannot accept the Amendment. We propose that the mode of registration shall be prescribed by the High Commissioner. If there is one question which ought to be dealt with by the Local Authorities, it seems to be such a question as whether or not the marriage should be registered on the application of two or of one of the parties. I can conceive, if we adopted the Amendment, that the Act might be defeated by a person who desired to get rid of his wife.

MR. HUNTER: I am afraid I must take the sense of the Committee upon this Amendment. The sole point of my suggestion is to prevent a man or

woman being married against his or her will.

The House divided:—Ayes 48; Noes 199.—(Div. List, No. 267.)

Amendment proposed, to add after "Commissioner" the words "in South Africa."—(*The Attorney General.*)

Amendment agreed to.

Amendment, as amended, agreed to.

MR. BRADLAUGH: I had intended to move the insertion of a proviso at the end of the clause, but from an intimation I have received from the Attorney General, it is unnecessary that I should now trouble the House with it. To prevent misunderstanding, however, I will state that my Amendment was for the purpose of providing that no entry should be permitted in the register without 21 days' notice to both parties; but as the Attorney General has privately promised that the point shall be raised by the Chief Commissioner, I will not trouble the House with the Amendment.

Clause, as amended, agreed to.

Clause 2 agreed to.

Bill reported; as amended, to be considered to-morrow.

MOVABLE DWELLINGS BILL. (No. 316.)

Considered in Committee.

In the Committee.

Clause 1.

MR. STEPHENS (Middlesex, Hornsey): I think the Committee will allow it is very inconvenient, to say the least of it, that this Bill, which so largely affects the liberty of a considerable number of Her Majesty's subjects, should have arrived at this stage without having been considered at all by the House. Of course, I am precluded from going into the general principle now; but I will call attention to the very great hardship that under this clause will be inflicted upon a number of persons poor and feeble in position, and which to them will be absolutely crushing. They will be quite unable to cope with such an intricate mass of regulations as this Bill will demand, and the effect will be to force these people from a healthy, harmless country life, into

our overcrowded towns, where they are not at all wanted, and where, as hon. Members will be aware, it will be impossible for them to earn their living. From living an open country life they will be transferred to conditions of existence for which they are unfitted, and which they cannot long endure. Why should not people be allowed to live in movable dwellings? At this time of year certainly it is a very pleasant form of residence, and I think at least they are as much entitled to be free from interference as the people who choose to live in house boats. With regard to this section, the owner of a movable dwelling is required to make application to the County Authority, but the Clause does not say to what authority, but I take it to be another duty added to the already overladen County Council. I have myself brought to the notice of the Local Government Board the great difficulties the County Councils have in coping with the mass of intricate matter suddenly devolved upon them, and here is a new and perfectly unnecessary duty pressed upon them, and more machinery, not indicated, must be brought into play. We shall presently have to deal with the educational and sanitary provisions of the Bill, but first, there is this section directed to the suppression of the mode of life these people follow. These moving vans carry goods from village to village, and are really co-operative stores for the service of village life. We all know that in some of the small villages there is only a single shop, the owner of which exercises a tyrannical monopoly, which the competition of these travelling stores serves in some degree to check. I am sure that persons unable from age or infirmity, or want of time to go to the county town, find these vans a very great boon. I do not for a moment think that any Member of the House will be moved to support the Bill on account of the peculiar ideas upon sporting rights these persons who live in movable dwellings are commonly supposed to entertain. I believe that will not prejudice the persons whom this Bill affects, but that every Member will take his course in regard to the Bill uninfluenced by these considerations. I have no doubt that hon. Members who promote this Bill are not

Mr. Hunter

very jealous of any little trespass upon lands these persons may commit. The clause requires the owner to register his movable home, and inflicts a penalty of 20s. for every day the van happens to be used without being registered. This is, I think, a too severe and drastic a penalty for such an offence, and to be inflicted upon people who are unable to protect themselves; and, therefore, I propose to substitute 2s. 6d. for 20s.

MR. TOMLINSON (Preston): I have an Amendment to propose which would come before that, and one to which I think no objection will be taken. The words in the clause are "apply to a county authority." I do not suppose that it is intended that the application should be made to any County Authority other than that of the county where the van happens to be; and, therefore, I propose as a preliminary to stating this in so many words to leave out "a" and insert "the."

Amendment proposed, line 8, leave out second "a," and insert "the."

MR. BURT: I think I may accept that.

Amendment agreed to.

Amendment proposed (Mr. Tomlinson), after the word "authority," insert "in the jurisdiction of which the movable dwelling happens for the time being to be."

SIR HORACE DAVEY (Stockton): I should like to ask my hon. Friend in charge of this Bill whether he has considered what the County Authority is to which reference is to be made. I find, looking at the Interpretation Clause, Section 13, that the term County Authority includes Commissioners of Supply and County Councils for counties or for boroughs that are counties in themselves. Well, it seems to me there is, in the first place, the objection that County Councils are not always sitting, and I think it would be better that reference should be made to some officer of the County Council who could always be got at, and from whom the necessary regulations could be obtained. I do not offer this observation in opposition to the Bill, but in order to make it more useful.

MR. BURT: I labour under the disadvantage of scarcely having heard a single word of the hon. and learned

Gentleman's remarks, and, therefore, I have no answer to make.

Amendment agreed to.

MR. STEPHENS: I now beg to move the Amendment I have already indicated, to read, "two and sixpence" after "not exceeding," in line 18, instead of "twenty shillings." The hon. Gentleman the Member for Stockton has pointed out a difficulty in fixing any authority with the duty, and, in fact, it will have to be handed over to an official who will be very little under the direct control of the representative authority, and will be far more under the influence of residents and landlords of the neighbourhood. It is, therefore, all the more incumbent upon us to be careful to prevent anything like injustice and even cruelty in the exercise of this delegated authority. In any case, as we ourselves know, it is difficult to appeal against the harsh exercise of such authority, and especially so in the case of these persons, who are very poor and have to earn a precarious living. The more I consider the Bill the more I am struck with its crudeness of construction, and the more I regret that it has not been subjected to a free discussion.

It being half-past Five, further proceedings were suspended.

INDUSTRIAL AGRICULTURAL EDUCATION BILL. (No. 295.)

Order for Second Reading read, and discharged.

Bill withdrawn.

METROPOLITAN WATER COMPANIES.

Returns ordered—

"Of the Accounts of the Metropolitan Water Companies for the year ended 31st day of December, 1888.

Of the estimated Population of the Districts supplied by each of the Metropolitan Water Companies.

Of the approximate quantity of Water supplied daily by each for domestic and for other purposes.

Of the Revenue, so far as it can be ascertained, derived from Water supplied for domestic and for other purposes.

Of the quantity of Water supplied by each per person for domestic purposes.

Of the gross Income received per one thousand gallons.

And, of the Charges authorised to be made by each Company (in the form and in continu-

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l. Returned from Commons with Amendments Agreed to July 16, 493 [Bill 42]
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Allotments Act

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